57538005

ID88056122

HD 241 .N385 1986a

MINUTES

National Public Lands Advisory Council

May 14-16, 1986

Gillette, Wyoming

Summary

The National Public Lands Advisory Council (see Attachment A for roster) held its first meeting of Calendar Year 1986 in Gillette, Wyoming, on May 15 and 16 and participated in a field tour of BLM-managed lands in eastern Wyoming on May 14.

During the 3-day session (see Attachment B for agenda), the Council:

Elected as Council officers for 1986:
-- B. Wells O'Brien of Reno, Nevada, as Chairman
-- Donald Butler of Tucson, Arizona, as Vice Chairman

Approved having member Dave Schaenen represent the Council before the President's Commission on Americans Outdoors at a May 16 hearing in Cheyenne, Wyoming

Heard Wyoming Governor Ed Herschler provide his views on public land management in the State

Heard presentations on, and discussed, among other items:
-- Revisions to the Federal coal leasing program
-- Federal onshore oil and gas leasing initiatives
-- Areas of Critical Environmental Concern (ACECs)
-- The President's Commission on Americans Outdoors
-- BLM's Headquarters reorganization
-- Federal land withdrawal review and litigation
-- The Wild Horse and Burro Advisory Board

Heard oral statements from the following persons/organizations:

-- Marlene Simons, Wyoming State Legislator
-- Charles H. Callison, The Public Lands Institute
-- James Courtney, Public Lands Committee, National Cattlemen's Association
-- Ron Michieli, National Cattlemen's Association
-- Carolyn Paseneaux, Wyoming Wool Growers Association
-- Charles J. Bennett, Ranchers Energy Corporation
-- Bill Ross, Public Lands Council
-- Bobbi Brown, Wyoming Heritage Society
-- Ed Swartz, owner of Swartz Ranch in Gillette, Wyoming
-- Robert L. Wright, Wyoming Stock Growers Association
-- Guy Edwards, rancher from Gillette, Wyoming
-- Bill Barlow, Powder River Basin Resource Council

BLM Library
Bldg. 50
Denver Federal Center
P.O. Box 25047
Denver, Colorado 80225

Participated in a field tour of BLM-managed lands in eastern Wyoming that included visits to the Salt Creek Oil Field, the Black Thunder Coal Mine, the Belle Ayr Coal Mine, and the Wyodak Power Plant (See Attachment C for summary of field tour)

Adopted resolutions concerning:

- -- Wilderness and Water Rights
- -- Areas of Critical Environmental Concern (ACECs)
- -- Wild Horse and Burro Advisory Board Liaison
- -- Range Rehabilitation
- -- Communications and Information Program
- -- Cooperative Management Agreements
- -- Compensation for Wildlife Habitat
- -- Blocking of State Lands
- -- BLM Monitoring Program
- -- S. 2061 -- California Desert Protection Act of 1986

And decided to hold its next meeting on August 21-23 in Great Falls, Montana, followed by a November 12-14 meeting at an Eastern States location, and an April 15-17, 1987 meeting in Washington, D.C. Principal topics for the meetings will be determined after consultation between Council officers and Bureau officials.

Thursday Morning - May 15

Call to Order and Election of Officers. The Council meeting was convened at 8:00 a.m. by Chairman Dave Schaenen. He officially welcomed new members James Bowns, David Delcour, Eddie Moore, and Bud Eppers to the Council and noted that members Garrey Carruthers, Roger Donlon, and William Golding would be unable to attend the Wyoming meeting. He also noted that member Jay Hair had recently resigned from the Council.

Mr. Schaenen next called for nomination of Council officers for calendar year 1986. Member Bob Wright nominated, and the Council unanimously approved, Vice Chairman Wells O'Brien to be the next Council Chairman. Following a discussion of the existing Council structure, and its provision for two vice chairmen, members voted to revert back to having only one individual in that position. Don Butler was then nominated by Bob Adams as Vice Chairman and unanimously approved by the members.

As newly-elected Chairman, Mr. O'Brien asked for Council approval to have Dave Schaenen represent the group before the President's Commission on Americans Outdoors the following day in Cheyenne. He explained that the Commission was holding a public hearing on outdoor recreation issues, and that Mr. Schaenen would testify on behalf of the Council and present whatever recreation-related resolutions the Council developed during its meeting in Gillette. The members unanimously approved the Chairman's motion that Mr. Schaenen represent them at the Commission meeting.

Remarks by the Director. BLM Director Robert Burford discussed member Jay Hair's recent letter of resignation to Secretary Hodel, in which he recommended abolishment of the Council. Mr. Burford said he strongly disagreed with Mr. Hair and found the letter regrettable. He stated that he was a firm believer in participatory government and the important role that citizen advisory councils play in government. Mr. Burford added that he was particularly supportive of BLM's multiple-use advisory boards and would recommend to the Secretary that he continue the National Public Lands Advisory Council.

The Director also discussed with members some of the issues facing the Bureau where Council advice was both needed and welcome. These included grazing administration, wilderness, recreation, oil and gas leasing, and Areas of Critical Environmental Concern (ACECs). He noted that public domain lands had gone from being "the lands that nobody wanted" to "the lands that everyone wants" and asked the Council for advice in helping to resolve the multiple-use demands for these lands.

The State Perspective on Public Land Management in Wyoming. Wyoming Governor Ed Herschler was welcomed to the Council meeting and introduced by member Eddie Moore, who also serves as a Wyoming State Senator. During his address before the Council, the Governor highlighted the many policy changes that had taken place in Federal land management programs during his tenure and said that he believed the policies and procedures were now in place to accommodate a wide variety of viewpoints on Federal land management.

The Governor discussed the tremendous impacts that Federal policies can have in a public land state like Wyoming, where the Federal Government controls 50 percent of the land surface and 70 percent of the developable mineral estate. Because of such potential impacts, he said the State had taken a very active role in Federal development and planning programs and in the legislative process.

He particularly noted the State's role in the Federal coal program and the work of the Regional Coal Teams in helping to plan and direct leasing initiatives and provide assurance that socioeconomic impacts, air and water quality, and the potential for bypassing State coal are considered. The Governor cited the Federal coal development program as an example of how BLM, the Forest Service, and the State can work together to insure timely development of an important resource.

On the other hand, the Governor criticized the Federal Simultaneous Oil and Gas Leasing (SIMO) process and recommended that it be replaced with a competitive leasing system. Under his proposed system, all oil and gas tracts would be available for leasing on two tiers, with the first tier having 5-year terms and sliding scale royalties, and the second tier having 10-year terms and a 12.5 percent royalty rate. Tracts not sold through either tier would become available for Over-the-Counter (OTC) leasing. The Governor advanced his proposal as a way to make acreage available for actual leasing in a timely manner, reduce opportunities for abuse, and reduce Federal costs and administrative burdens. He cited Wyoming's competitive oil and gas leasing program as an example that the Federal Government should actively consider.

The Governor next discussed the issue of public access to public lands and the delicate balance that must be reached to protect the private lands that surround Federal lands. He also discussed the reservations he had with the proposed BLM/Forest Service Interchange of lands, questioning whether there would be real costs savings and whether the Interchange might set off a new set of problems similar to those created by the Sagebrush Rebellion.

In closing, the Governor expressed his concerns about the Gramm-Rudman Act and the additional burden it would impose on Federal agencies as they try to properly balance the resources they are required to manage. He noted that with reduced budgets, and no relaxation in statutory mandates, projects would be held up or delayed and various environmental issues might be inadequately addressed. The end result, he said, would be reduced economic expansion and increased opportunity for legal action, further delaying proper management of public resources.

State Director's Welcome to Wyoming. Hillary Oden, BLM's Wyoming State Director, extended an official welcome to the Council and introduced several members of the audience who were in attendance at the meeting. Included were the Wyoming State Auditor, staff from the Wyoming

Congressional delegation, BLM's newly-appointed Deputy Director, and BLM field officials from Colorado, Idaho, and Montana. Mr. Oden also expressed sincere appreciation to former Council member Marlene Simons for her able assistance in helping plan the Council session.

Herb Carter, the Mayor of Gillette, next extended his own welcome to the "Energy Capital of the Nation" and discussed the significant growth that had occurred in Gillette over the past decade.

Revisions to the Federal Coal Leasing Program. Tom Walker, BLM's Chief of Solid Mineral Leasing, highlighted the history of the coal leasing program and the recent initiatives that the Department had taken to improve its operation.

He discussed the Federal coal leasing moratorium of the 1970's, the litigation which prohibited resumption of leasing until an improved EIS was completed, and the various Federal laws passed during the 1970's which affected the coal program. He explained that the Department completed its Programmatic EIS in 1979 and put together a complex program with accompanying regulations. The program was halted, however, in 1982 when the Powder River Basin coal sale was challenged over the questions of Fair Market Value, the leasing process used in the sale, and environmental concerns.

Following investigations by the House Appropriations Committee and the General Accounting Office, Mr. Walker said that Congress directed the Secretary to establish a commission to analyze the Department's Fair Market Value policy. He noted that this commission (the Linowes Commission) reported back to Congress with recommendations in February, 1984, and that the Office of Technology Assessment also reported to Congress in May, 1984, giving its findings on environmental adequacy in the Federal coal program. The Department reviewed and responded to both reports and decided that the coal leasing moratorium should continue until the lease sale review had been fully completed and a supplemental EIS on the coal leasing program had also been completed.

Mr. Walker noted that in February of this year, Secretary Hodel decided to continue the Federal regional coal leasing program, adopting those recommendations that the Department had recognized in its review of the Linowes Commission and OTA reports.

Some of the principal decisions made by the Secretary regarding the coal program include:

- Role of the Six Regional Coal Teams (RCTs). They will serve as the working body to guide the process and make recommendations for future coal leasing in each Region. The Secretary will be responsible for all final decisions.

- Coal leasing must be weighed against other resource values. To be considered are: the potential for coal development, unsuitability criteria, and market analyses that determine when Federal coal should be offered and the ranges of leasing.

- Data adequacy. Regional Coal Teams will help set up the criteria for evaluation.

- Tract delineation. The Secretary will adopt all RCT recommendations on leasing areas and levels except where there is a conflict regarding national security or a Governor recommends against an RCT position.

- Improved public participation. The Department will better inform the public of the steps involved in the coal leasing process so that they can be more fully involved in the decisions.

- Appraisal process. The Department will improve guidelines for the appraisal process.

- Sale procedures. There will be no more large sales; instead, they will be held on a phased-sale basis, with fewer tracts offered over a longer period of time.

- Fee exchange program. The process has been improved and includes provisions for antitrust reviews.

- Land use planning and activity planning. Such planning is critical to assure there is stability in the coal leasing program and sufficient lead time to plan for and develop a lease, to respond to market needs, and to satisfy environmental concerns.

Mr. Walker also addressed the 'next steps' he anticipated for the coal leasing program. He stressed again that the key feature would be the Regional Coal Teams as decision-makers, and noted that the Federal Coal Advisory Board had already met in April to discuss program revisions and that the Teams would begin meeting in late summer to develop their planning schedules. He added that field conferences and workshops were also scheduled for this July to assure there was a comprehensive understanding of the program changes. In conclusion, Mr. Walker stated that the coal leasing program was in place and ready to move forward.

Council member Bill Swan questioned the Department's ability to predict coal leasing demands, given the current oversupply of energy resources and the 15-year lead time for production. Mr. Walker responded that the Department will be working closely with the Regional Coal Teams to get a better indication of future leasing projections and also noted that the Teams have the ability to adjust leasing schedules according to priorities and to recommend emergency leasing procedures when necessary.

Member David Delcour next asked how the Department would resolve impasses between members of the Regional Coal Teams. Mr. Walker said that each Team was a voting body of five members, and that an issue would be decided by the majority vote. Mr. Delcour added that the Department needs to insure that a process exists which will force a Team to resolve and not bypass a critical issue.

In response to a question from the audience about the future of Federal coal leases that were issued prior to 1976 and have not met production deadlines, Mr. Walker said that the Department's position would be to "enforce the law." He noted that Congress was presently addressing this issue and had already extended the deadline to December, 1986, for affected leases. The House Interior Committee, he added, had already reported out a bill (H.R. 1934) calling for a holding fee or advanced royalty for lessees that had not met the production requirements, and the Senate Energy and Natural Resources Committee was still considering what action it would recommend for noncomplying lessees.

Federal Onshore Oil and Gas Leasing Program. Wyoming State Director Hillary Oden and BLM Director Robert Burford discussed recent developments and trends in both the SIMO and competitive oil and gas leasing programs.

Mr. Oden noted that since the SIMO leasing moratorium had been lifted in August, 1984, the Department had worked through the existing backlog of available acreage for leasing and resumed its bimonthly lease offerings. He said that the total number of filings and gross receipts were down from previous levels, due in large part to depressed oil and gas prices and the advance rental payment now required as part of a lease application. He speculated, however, that there would probably be a greater increase in Over-the-Counter (OTC) filings, since tracts put into the SIMO system and not filed on, are subsequently placed in the OTC system.

In regard to competitive oil and gas leasing, Mr. Oden noted how very extensive the program is in Wyoming and said that the trend of high bonus bids was still prevalent. He indicated that Wyoming averaged $1.7 million in bonus bids every other month, and although there were fewer bids per parcel, the bids were high.

Mr. Burford next discussed certain legislative actions that Congress had recently taken in regard to the oil and gas leasing program. He said that Chairman Gray of the House Budget Committee had proposed in the House Budget Resolution that a lessee's rental be increased from $1 to $2 an acre for both SIMO and competitive leases. Mr. Burford thought that Mr. Gray's projection on expected revenues from the rental increase was overestimated, and that the Senate would work the issue out in conference.

He also discussed anticipated legislation from Senator Dale Bumpers, and recently introduced legislation from Representatives John Seiberling and Morris Udall, all of which called for changes in the oil and gas leasing program. In Senator Bummpers' bill, there would be a competitive screen for leases and a required minimum bid of $35 an acre. Those tracts not

receiving the minimum bid would drop into the SIMO drawing system, and if there were still no interest, the tract would become available under the OTC system. Mr. Burford indicated that the Senator's bill did not contain the extensive environmental language included in Representative Seiberling's bill and added that Representative Udall's bill did not concentrate as much on environmental concerns as did Mr. Seiberling's.

Mr. Burford also provided his personal view that within the near future there would be some type of enconomic determination on Known Geologic Structures (KGSs), and said he preferred that industry and its geologists take the lead in deciding where KGSs are located. He also noted that he had studied the oil and gas leasing system proposed by Governor Herschler, which was discussed earlier in the Council meeting, but believed it was not totally workable for Federal lands.

Areas of Critical Environmental Concern (ACECs). Guy Baier, BLM's Acting Assistant Director for Lands and Renewable Resources, provided background information on the overall process that is used to designate various areas for special management status. He noted that 1) Congress, 2) the Secretary of the Interior, and 3) the Bureau of Land Management have the authority to designate public land areas for special management. He then addressed the term "Area of Critical Environmental Concern" and explained that it was first used in the Federal Land Policy and Management Act of 1976. He stressed that it was important to understand the definition of an ACEC:

> "An area within public lands where special management action is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources or other natural systems or processes, or to protect life and safety from natural hazards."

Mr. Baier explained that the Bureau was now in transition from pre-FLPMA management to the post-FLPMA legislative mandate for ACECs and had been working to develop a policy that would assure consistency in applying ACEC criteria and more fully involve the public in the decision making process. He said that public participation through BLM's planning process will bring the ACEC program into the limelight and asked the Council for its advice on how the Bureau can make the general public better understand the entire process.

Gordon Knight, BLM's Chief of Program Coordination, next discussed the evaluation and designation process for ACECs. The first consideration, he said, was the administrative framework and legal context for designation. Included are:

1. The provisions of FLPMA, the planning regulations, and BLM manual guidance that set for the requirements for ACECs;
2. The priority that must be given ACECs;
3. The definition of ACECs; and
4. Use of BLM's planning process.

:. Knight also discussed the operational context for evaluating and
:signating ACECs. He said that the Bureau makes its decisions on
:signation through use of the resource management planning process and
ist give consideration to certain concepts: special places;
mpatability with multiple use management; a tailored management
escription; acknowledgment that an ACEC is not a withdrawal; and size
a proposed ACEC.

nce the planning process is always used in ACEC designation, this
sures that there will always be: public participation and input;
nsultation, coordination and consistency requirements; interaction with
ate and local government an the Governor's Office; NEPA analysis and
cumentation; special notice and review periods; an appropriate
nagement prescription for an ACEC; limited use requirements; and an
portunity for protest.

. Knight emphasized the point made earlier by Guy Baier that BLM was
rking toward a consistent Bureauwide approach to ACECs and was
mmitted to working with the public on any proposed changes in existing
ocedural guidance. He also noted that the Bureau would be drafting
oposed revisions to the implementing guidance this summer and expected
have it available for public review and commment before the end of the
ar.

[redacted]

a[redacted]ell, BLM's Chief of Recreation, Cultural and Wilderness
s[redacted]s, completed the presentation on ACECs by discussing the
nagement of these special areas. He explained that there are no
quirements for management, nor are there blanket restrictions imposed
om above. BLM's District Managers, he said, have total latitude and
scretion on how an ACEC will be managed, and they work with the public
develop a management prescription that will maximize benefits to local
ers and the resources within the area. He stressed that the ACEC is a
ltiple use management tool used to focus management attention and
iorities on high-value special areas -- and that each one is different.

:. Snell next cited specific examples of ACECs where there are multiple
es occurring within the area. One such example was the Anasazi
ltural ACEC in Southwest Colorado, one of the richest archaeological
eas in the country, where there are also provisions for oil and gas
velopment, livestock grazing, recreation, and disposal sites. Lastly,
. Snell contrasted ACECs with wilderness, noting that the former are
lly multiple-use, with designation and management prescribed by the
cal manager.

mbers Eddie Moore and Bob Adams asked about the nomination process for
ECs -- who can nominate an area for an ACEC and where are the majority
nominations coming from at present? The response was that anyone can
minate an area for an ACEC since designation is part of the planning
ocess, and that most nominations have come from the public.

Member Bill Swan expressed his concern about the affect that ACEC designation can have on intermingled lands, and that it could lead to a "lock-up" of such lands. Mr. Baier responded that the affected public should work with the BLM district manager when a management prescription is being developed for a proposed ACEC to assure that an acceptable agreement is contained in the final management plan.

Member Bud Eppers next asked how the Bureau weighs the merit of an ACEC nomination and how it balances the request against other possible uses of the land. Mr. Baier explained that the nominated area is fully evaluated, using the specific set of criteria established for designation, and following reviews and public comment, a determination is made for an area.

Council Old and New Business. During this portion of the Council meeting, the members addressed a number of administrative items and were updated by Bureau officials on issues they had considered at previous Council meetings. This included:

- The minutes from the Council's November 14-15, 1985, meeting in Washington, D. C., were unanimously approved.

- Dave Tidwell, Special Assistant to Director Burford, reviewed the Department's responses to the Council resolutions adopted at the Washington, D. C., meeting. (See Attachment D for complete text of Council resolutions and Department responses.) He noted that two of the Department's responses required explanation and an update.
  - The Council's resolution about the Take Pride in American public awareness campaign recommended that a coalition of national level constituency groups be formed to promote the Secretary's initiative. Mr. Tidwell explained that such a coalition had not yet been formed because the Advertising Council's compaign was being reworked, according to the Secretary's direction, and a final proposal had not been put forward. He said that after this was done, the Department would work on putting together the suggested coalition.

  - In regard to the Council resolution on the authority for testing and registering pesticides, Mr. Tidwell noted that on April 25, the Council on Environmental Quality had published revised regulations that would move Federal agencies from the worst case analysis requirement to an analysis that follows the rule of reason. He also noted that a Congressional mark-up session on the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) had been tentatively scheduled the previous day to address 1) requiring consistent application of research to avoid duplication and 2) requiring that EPA be the source of research. Mr. Tidwell said there were also two other pending pieces of legislation dealing with the issue.

- BLM Headquarters Reorganization. Director Burford explained that a study had been underway for some time on how to make BLM's Washington Office operation more efficient. The end result of the study was a reorganization calling for a BLM Deputy Director and four Assistant Directors -- one each for Energy and Minerals, Lands and Renewable Resources, Management Services, and Support Services. The reorganization also combined various Divisions and Offices in Washington and would result in a savings of 85 positions. In addition, an Office of External Affairs was established to better serve the Congress and BLM's various constituencies.

- BLM/Forest Service Interchange. The Director said that there may be a hearing on the proposed Interchange legislation in the House this session of Congress, but that he did not anticipate one in the Senate. He also expected the legislation would be re-introduced in the next Congress. The Director then provided an update on various bills pending both before the House and Senate related to Bureau activities.

- Wild Horse and Burro Advisory Board. The Director noted that the Secretary had made appointments to the nine-member Board the previous day, but that he did not have the names of those appointed at this time.

- Riparian Management Policy Update. Mr. Burford said that the policy was now in his office for review, and that he would be looking closely at the comments received on the policy before it is reworked or finalized.

- National Wildlife Federation Withdrawal Review Lawsuit. The Director said that the Court was awaiting reply from the Plaintiffs on information requested by the Mountain States Legal Foundation, and that the Department had a request for dismissal before the Court but did not anticipate it would be granted. He expected that the Justice Department would move for a fast hearing, and if it should lose the case in the District Court, would immediately move for an appeal.

- Dates and Locations for Future Council Meetings. Dave Schaenen, Chairman of the Issues and Agenda Subcommittee, discussed the dates and locations for the next three Council meetings.
  1) August 21-23, 1986 -- Great Falls, Montana. Mr. Schaenen noted that due to budget cutbacks, the proposed float trip on the Missouri River had been cancelled, and the Council would instead take a one-day trip to the Rocky Mountain Front and Montana Overthrust to look at potential habitat for threatened and endangered species, areas of oil and gas development, and areas proposed for future wilderness designation.
  2) November 12-14, 1986 -- to be held at an Eastern States location.
  3) April 15-17, 1987 -- Washington, D.C.

- Appreciation to Former Chairman Dave Schaenen. On behalf of the entire Council, Chairman Wells O'Brien presented a placque of appreciation to Dave Schaenen for the outstanding job that he had done for two years as Chairman.

- Special Thanks to Marlene Simons. Mr. O'Brien noted that former Council member Marlene Simons was in the audience and expressed sincere appreciation to her for the hard work that she had done as a member and as Council Vice Chairman.

Before the Council recessed for the morning, member Cal Black asked as a point of privilege to address the group to clarify certain Federal actions that had recently taken place in Utah involving a search for archaeological artifacts. Mr. Black noted that he, among others, had been subjected to this search, and felt it was imperative to explain to the Council what had happened and to firmly state his personal, abiding commitment to upholding the law regarding archaeological resources and their protection.

Thursday Afternoon - May 15

Public Statement Period. Twelve people presented oral testimony to the Council, summaries of which are given below. A written statement was also submitted for Council consideration. (For copies of these statements, see Attachment E.)

Marlene Simons, representing the Wyoming Legislature's Agricultural, Public Lands and Water Committee, the National Inholders, and Outdoors Unlimited Inc., discussed two issues that she believed were important for the Council to address -- access to public lands and Federal reserved water rights.

Mrs. Simons said that the Bureau needed to consider the rights of private land owners and the liability they face when providing access across their property to the public lands. She was concerned that such private lands not become the "playground of the sportsman" without proper compensation to the land owner, and suggested that requests for access be handled on a one-to-one basis, with the Bureau negotiating with the private land owner.

Mrs. Simons also discussed the issue of Federal reserved water rights and a recent decision by the U.S. District Court in Colorado regarding such rights in wilderness areas. She noted the impact this decision would have on any newly-proposed developments that require water and are located upstream from a wilderness area. Mrs. Simons urged the Council to address this issue in resolution form during their meeting in Gillette.

Charles H. Callison, Director of the Public Lands Institute, addressed the Council on Areas of Critical Environmental Concern (ACECs). He stressed the importance of the ACEC program and noted that the provisions of the Federal Land Management and Policy Act were crafted so that BLM could fit the protection of their special resources into the context of multiple use. Mr. Callison said that the Director's March 6 Instruction Memorandum outlining an action plan to achieve "a consistent approach Bureauwide to ACEC designation" was timely and constructive, and noted that he was pleased to see it. He added that the memorandum's action plan lifts the designation and protection of ACECs to the priority level intended by Congress and offered the whole-hearted cooperation of the Public Lands Institute and the Natural Resources Defense Council in carrying out the action program.

James Courtney, Chairman of the Public Lands Committee of the National Cattlemen's Association, spoke to the Council about improved cooperation between various public land user groups to better achieve multiple-use objectives. He advocated a cooperative communication and information program to provide "a framework to come to the table to work out our differences."

Mr. Courtney offered his recommendations for a communication/information program that the Departments of Interior and Agriculture could spearhead. Included were:

- Developing an inter-disciplinary capability for mutually coordinating such a program for the Nation's natural resources and their use;
- Establishing a citizen's advisory commission to provide advice and counsel on the above;
- Developing inter-disciplinary teams at the State and local level to foster the program at all levels of government;
- Indentifying key facilitation groups and establishing a working relationship;
- Developing a plan of action for communication and transfer, followed by an implementation plan for such communication and transfer.

Mr. Courtney also distributed papers prepared by Dr. Robert Barnes and Professor George Tanner, which he said could serve as models for the communciation/information system he was proposing to the Council.

Ron Michieli, representing the National Cattlemen's Association, the Public Lands Council, and the National Wool Growers Association, discussed five issues of concern to the western livestock industry -- range improvements, range management, grazing advisory boards, wilderness, and riparian area management. He also commended the President for issuing an Executive Order on grazing fees.

During his presentation, Mr. Michieli suggested:

1. That specific principles should be applied when a stockman makes range improvements on the federal range or other permitted lands;
2. That the continued use of the Federal range by domestic livestock is in the national interest;
3. That grazing advisory boards assure that persons who live close to forage lands will have a voice in the proper management of lands;
4. That there be no further wilderness designation until the issue of Western water rights is settled in the courts or through the legislative process;
5. That Federal land management agencies have sufficient authority under existing laws to carry out riparian area management programs.

Carolyn Paseneaux, Executive Director of the Wyoming Wool Growers Association, spoke to the Council about recreational access to public and private lands and the need to find a balance which allows access, protects land and water resources, and respects private landowner rights. She said that it was time to quantify the demand for recreational access, identify geographical areas where it is needed, and specify the type of use and season for which it is desired. She also stated her opinion that the landowner has a right to a reasonable return for the access he provides on or through his land.

Mrs. Paseneaux suggested that any change in Federal policy should focus on providing greater flexibility to local land mangers to enter into limited, non-permanent cooperative agreements with private landowners. This would help, she said, to enhance recreational opportunities within a block of private-public lands. She also suggested that Federal guidelines could be developed to provide the framework for such a cooperative stewardship program.

Charles J. Bennett, Coal Projects Coordinator for Ranchers Energy Corporation, addressed the Council on the issue of Federal coal activity planning, Federal coal royalties, and the due diligence requirements of the Federal Coal Leasing amendments Act.

He urged the Council to strongly support the maintenance of coal activity planning and tract delineation to assure that the resource can be brought into the market in an orderly manner when there is a need for it. He also said that he believed the 12.5 percent Federal coal royalty policy should be reviewed and re-evaluated, given the difficult competitive situation in the Western coal market. And lastly, Mr. Bennett raised concerns about the implications of the due diligence requirement of the Federal Coal Leasing Amendments Act, noting that the world energy market place is "volative and cyclical" and companies that invest enormous sums of money in developing a mine are not always able to produce in commercial quantity within the allocated timeframe. He strongly recommended that the Council support Congressional modification of the diligence requirements now mandatory under FLPMA, and argued that "a more flexible and responsive policy be put in place to provide a more adaptable energy supply market in the future."

Bill Ross, President of the Public Lands Council, discussed the Council's views on local management control of the public lands and multiple-use provisions for these lands. The points that he made were as follows:

Local management and control of Federal lands — Public lands must be managed on the local level by persons very close to the land, and the stockman must be equitably represented in any local board or commission where livestock grazing represents one of the land uses.

Multiple Use — The Council supports the principle of multiple use of the public lands and its resource. However, wherever there is a possible conflict between a new multiple use and livestock grazing, or there is a proposed simple use withdrawal that would elimate grazing, the Council believes that full consideration should be given to the primacy of food production as a matter of national concern. Mr. Ross also discussed at some length resolving conflicts regarding wildlife, recreation use, and access to the public lands.

Bobbi Brown, Assistant Director of the Wyoming Heritage Society, explained that her organization was a public interest, advocacy group for the development of Wyoming's industries of agriculture, mining, oil and gas, timber, and recreation. She noted that over half of Wyoming is Federally-owned and that the State's economy is inexorably tied to the public lands. Given this fact, she asked that the Council consider certain recommendations:

1. That Federal agencies consider the impact of planning decisions on local and State economies;
2. That Federal management laws be changed to provide for more substantive participation by State and local authorities;
3. That any changes in public land status be compensated accordingly;
4. That multiple use of public lands be vigorously pursued.

Ed Swartz, owner of the Swartz Ranch in Gillette, Wyoming, discussed his concerns about the Wildcat Creek Preference Right Lease Application (PRLA) of the Consolidated Coal Company. He explained that his surface lands overlaid parts of the PRLA area and had been damaged by the company's drilling activities. He was angered over the company's refusal to pay for the damages. Mr. Swartz also stated that the company's drilling activities took place after its permit to drill had expired, and as such, the Bureau of Land Management should reject their PRLA application.

Robert L. Wright, First Vice President of the Wyoming Stock Growers Association, provided his comments about surface damage mitigation programs, ORV use of the public land, and the prosed BLM-Forest Service Interchange. Specifically, he said that:

- Federal agencies need to be more sensitive to the rights of surface owners, especially in areas involving split estate lands;
- ORV use of the public lands must be limited to carefully-selected areas, and designated trails through larger blocks of public lands should be laid out, with provisions for their use stringently enforced;
- The public will be better served by the present Federal land management arrangement between BLM and the Forest Service, rather than by the Interchange provisions.

Guy Edwards, a resident of Gillette, Wyoming, expressed his concern about possible issuance of a coal lease for the Kintz Creek tract, which adjoins his ranch. He stated his opinion that the area was not cost-effective for coal leasing, and that the company interested in the tract wanted it only for speculative purposes. He asked that the tract not be put up for lease unless there was a legitimate reason for the Federal government to offer it.

Bill Barlow, representing the Powder River Basin Resource Council, discussed the Council's position on Federal coal leasing, Federal oil and gas leasing, and Areas of Critical Environmental Concern.

He said that the PRBRC questioned the need for further coal leasing on the grounds that sufficient reserves are under lease to meet present and future demands, and that existing mines are not producing at capacity. He also recommended that any future leasing be based on market analysis and data adequacy criteria and take environmental impacts into consideration.

On the topic of oil and gas leasing, Mr. Barlow said that environmental analyses should be completed before leasing so that cumulative impacts of potential development can be examined. Member Dave Schaenen noted that less than one percent of Federal lands leased are actually drilled, and commented that such analyses could, therefore, waste millions of dollars.

Mr. Barlow lastly commented on ACECs and said the PRBRC felt that BLM had in the past, neglected its responsibility to protect areas in need of special management. He added, however, that PRBRC applauded BLM's recent Instruction Memorandum that put increased emphasis on ACEC designation and hoped that the State Offices would follow through with these directives.

President's Commission on Americans Outdoors. Gerry Hillier, Special Assistant to Director Burford and BLM liaison to the President's Commission, discussed the Commission's mandate, the principal issues under its review, and BLM's interest in having public lands recognized as an important recreational resource.

He explained that the Commission report, containing recommendations on the country's anticipated recreation needs for the year 2000 and beyond, was due to the President by December, 1986. He added that the last such report was done in 1962, and at that time the public lands were virtually discounted as a source of recreation. Since then, Mr. Hillier noted that FLPMA had been enacted and the Bureau had developed an active recreation program.

The challenge for BLM, he said, would be to educate the Commissioners on the multiple-use value of the public lands and make them realize that these lands must be better recognized and utilized.

Mr. Hillier also discussed the principal issues that the Commission was currently studying. Among them were:

1. Funding: The emerging consensus was that a fee system for public land use is viable and that the Land and Water Conservation Fund should be re-evaluated and expanded;
2. Liability: There was concern about permittee/concessionaire hardship in obtaining insurance and assuming liability;
3. Government Role: What are the roles and responsibilities of agencies at all levels of government in determing recreational services?

The Commissioners were also looking closely at the need to increase stewardship and responsibility among resource users, at maintaining and enhancing the resource base upon which recreation depends, and at means for developing a national leadership program for outdoor recreation.

Mr. Hillier said that the Commission report should be in draft form this August and ready for public review and comment later in the fall. He also reminded the members that the Commission was holding a hearing on outdoor recreation issues in Cheyenne the following day (August 16), and that member Dave Schaenen was testifying on behalf of the Council. He noted that the Council's Lands Subcommittee would be developing resolutions for Mr. Schaenen to take with him to the hearing and welcomed members to participate in the subcommittee session.

Meeting of Council Subcommittees. Chairman O'Brien recessed the Council meeting so that members could spend the remainder of the afternoon in subcommittee sessions. He also announced that the meeting would reconvene at 5:00 p.m. so the Council could act on those resolutions that the Lands Subcommittee had developed on outdoor recreation issues.

Action on Resolutions for the President's Commission on Americans Outdoors. When the Council meeting reconvened, Paula Easley, Chairman of the Council's Lands Subcommittee, reported to the members on the three resolutions that her subcommittee had developed for Council consideration. After discussion, the members unanimously approved the following resolutions:

1. Management of Recreation of the Public Lands Administered by the Bureau of Land Management;
2. Financial Base for Recreation Management, Operation and Maintenance on BLM-Administered Public Lands;
3. Recommendation on User Ethics and Stewardship.

(For complete text of the three resolutions, and Mr. Schaenen's testimony before the President's Commission on Americans Outdoors, see Attachment F.)

The Coucil meeting was recessed at 6:00 p.m.

Call to Order and Presentation on High Rock Canyon ACEC. Chairman Wells O'Brien convened the meeting at 8:00 a.m. with an audio-visual presentation on the High Rock Canyon ACEC. Member Rob Flournoy provided some background information on the ACEC, which encompasses lands in northeast California and northwest Nevada. He noted the multiple-use characteristics of the area, including the vast variety of wildlife, the numerous cultural and archaeological resources, the historical trail dating from the 1800's, and the grazing activity that is part of the management prescription for the area.

The meeting was then recessed so that the members could meet in subcommittees to finalize potential resolutions for Council consideration.

Reports from Subcommittees and Adoption of Council Resolutions. When the meeting reconvened, the members discussed and then adopted the following ten resolutions. The name of the sponsoring subcommittee and the principal speaker in behalf of each are noted. All resolutions were approved by unanimous voice vote.

Lands Subcommittee

WILDERNESS AND WATER RIGHTS (Delcour)

WHEREAS: The United States District Court for the District of Colorado ha ruled in Sierra Club v. Block that the Congressional designation of wilder reserves a Federal water right; and

WHEREAS: The economic well-being of the West requires adequate supplies of water in the future; and

WHEREAS: Many western rivers and streams are already over-appropriated; and

WHEREAS: BLM is presently reviewing approximately 25 million acres of public land for possible inclusion in the National Wilderness Preservation System; and

WHEREAS: A great deal of probable BLM administered wilderness will be downstream of locations where future water appropriations will be required; and

WHEREAS: The District Court decision would thwart such future water appropriations upon the designation of BLM administered wilderness.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to oppose any additions to the National Wilderness Preservation System until Congress enacts legislation renouncing any intent to reserve water rights in designating wilderness.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC) (Easley)

WHEREAS: The Federal Land Policy and Management Act (FLPMA) defines the term ACEC and sets forth specific requirements for identification and designation of ACECs in the planning process; and

WHEREAS: The ACEC designation is consistent with multiple use management under FLPMA; and

WHEREAS: Potential ACECs must always be evaluated with full public review and notice, and in accord with other established resource management planning rules.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council:

1. Recognizes that the ACEC requirements of FLPMA provide an important management tool to the local Bureau of Land Management (BLM) Manager;

2. Urges BLM to consult with public land users and interest groups when revising guidance implementing the ACEC provision of FLPMA and resource management planning rules, provided, however, that other designations be reviewed to determine if adequate management or protection options are available;

3. Supports the BLM effort to achieve a consistent approach to ACEC evaluation and designation in the planning process, compatible with multiple use management.

WILD HORSE AND BURRO ADVISORY BOARD LIAISON (Easley)

WHEREAS: The National Public Lands Advisory Council has devoted significant time and study to the adverse impacts on the public lands resulting from an overabundance of wild horses and burros on public rangeland; and

WHEREAS: The Secretary of the Interior is establishing a Wild Horse and Burro Advisory Board to seek solutions to managing the wild horse and burro population.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior invite the chairman of the National Public Lands Advisory Council or his designee to serve as an ex officio member of the Wild Horse and Burro Advisory Board to share expertise and act as liaison between these two advisory bodies.

Renewable Resources Subcommittee

RANGE REHABILITATION (Swan)

WHEREAS: Much of the western rangelands are infested with sagebrush and pinyon-juniper to the degree that these lands are presently producing less than their potential; and

WHEREAS: The Bureau of Land Management is involved in the rehabilitation of these ranges following wild and controlled fires and other types of existing vegetation removal techniques.

THEREFORE, BE IT RESOLVED: That this Council recommends that the Bureau adopt a policy of using an appropriate mix of the most palatable forage species of grasses, forbs, and shrubs in their rehabilitation program in order to provide more winter forage for livestock and wildlife.

COMMUNICATIONS AND INFORMATION PROGRAM (Eppers)

WHEREAS: There exists a need to inform and educate the public regarding multiple use benefits of grazing land resources; and

WHEREAS: The Department of the Interior manages the largest acreage of grazing lands and should take the lead in forming a program to achieve education goals; and

WHEREAS: The Secretary has initiated a major campaign, "Take Pride in America," and that this program can be adopted as a component of this campaign.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to implement a communications/information program on grazing land resources in coordination with other land agencies and user groups.

COOPERATIVE MANAGEMENT AGREEMENTS (Flournoy)

WHEREAS: Multiple use management of public lands requires flexibility due to site specific conditions; and

WHEREAS: No one prescribed management practice may suffice to improve and enhance range conditions; and

WHEREAS: The Cooperative Management Agreement (CMA) program recognizes individual stewardship.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management, using proper authorization under existing law, immediately implement the CMA program.

COMPENSATION FOR WILDLIFE HABITAT (Moore)

WHEREAS: The Bureau of Land Management recognizes that privately-owned lands are an integral part of game management and hunter success in the western states and that trophy game animals in many cases are in direct competition with domestic livestock for forage on both private and public lands; and

WHEREAS: It is an almost impossible task to control grazing patterns of game animals, and various States claim ownership of wildlife and receive the income from the harvesting of those animals.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management urge various State wildlife departments to involve land owners in the game herd decision-making process and to give serious consideration to fair and prompt compensation to those who contribute habitat and forage to the game herds.

BLOCKING OF STATE LANDS (Neri)

WHEREAS: The land departments of several western States are attempting to block their State lands; and

WHEREAS: These State lands have been leased for many years to present users; and

WHEREAS: Many problems of public access and rights-of-way are involved in widespread trading of lands; and

WHEREAS: There are many existing rights-of-way, multiple-use rights and property rights involved on the public lands to be traded.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Director and Secretary cooperate with the various States in solving these problems; and

BE IT FURTHER RESOLVED: That the burden of completing the necessary hearings and agreements to assure the protection of all valid existing rights and privileges should be completed and executed by the various States before their proposal is submitted to the Secretary for approval.

BLM MONITORING PROGRAM (Butler)

WHEREAS: The Natural Resources Defense Council and the Bureau of Land Management during the Carter Administration had attempted to improve the condition of the public rangelands through livestock reductions based on one-point-in-time forage inventories; and

WHEREAS: The livestock industry, the range science and academic communities, and others, urged the replacement of livestock adjustments based on the unreliable one-point-in-time inventories with actual use data coupled with vegetation monitoring over time; and

WHEREAS: Under the Reagan Administration, the recommendations of the range science community, livestock industry, et. al., were implemented by BLM and the use of monitoring data as the primary basis for range management decisions became established policy; and

WHEREAS: Grazing decisions under the current process have been fair and timely and based on sufficient information to promote cooperation between BLM and permittees in improving the rangelands while minimizing the economic impacts on livestock operators; and

WHEREAS: The BLM has not uniformly or aggressively initiated the range monitoring program bureau-wide on a scale sufficient to support all upcoming grazing decisions; and

WHEREAS: The Natural Resources Defense Council and the U.S. District Court in Reno, Nevada, have served notice that BLM shall produce grazing decisions based on a sound monitoring program or the Court will reconsider its support for decisions based on monitoring data.

NOW, THEREFORE, BE IT RESOLVED: That the Bureau of Land Management designate the range monitoring program as the Bureau's highest funding priority of the range program, and insure that sufficient monitoring data is available to support every decision affecting livestock stocking rates and other grazing management decisions; and

BE IT FURTHER RESOLVED: That sufficient long-term monitoring programs be initiated and maintained so as to provide range condition and trend statistics which accurately depict the trend of public land range condition from the 1984 baseline; and

BE IT FURTHER RESOLVED: That BLM utilize contracted range technicians to conduct the monitoring program when insufficient permanent staff are available; and

BE IT FURTHER RESOLVED: That copies of this resolution be forwarded to the:

Senate Committee on Energy and Natural Resources
Senate Appropriations Subcommittee on Interior and Related Agencies
House Committee on Interior and Insular Affairs
House Appropriations Subcommittee on Interior and Related Agencies

Energy and Minerals Subcommittee

S. 2061 - CALIFORNIA DESERT PROTECTION ACT OF 1986 (O'Brien)

WHEREAS: The Congress of the United States passed in October, 1976, the Federal Land Policy and Management Act, which emphasized resource protection within continued multiple use of the lands; and

WHEREAS: The Congress further directed that these principles be guided by the implementation of a comprehensive land use plan developed with the broad involvement of all segments of the public; and

WHEREAS: This Act contained special provisions which created the California Desert Conservation Area; and

WHEREAS: This Act provided for development of a management plan for the California Desert Conservation Area, to include both protection and continued multiple use; and

WHERFAS: A management plan was developed which recognized those special resource areas and values within the California Desert Conservation Area; and

WHEREAS: This plan was approved by both the Carter and Reagan Administrations; and

WHEREAS: FLPMA further directs the Bureau of Land Management to inventory and study all public lands for wilderness values, including mineral surveys, and report its recommendation to Congress for final decisions on wilderness designations; and

WHEREAS: The evaluations and preparation of these reports have not as yet been completed; and

WHEREAS: The United States Congress set the year 1991 as the year by which these reports and recommendations should be brought to them; and

WHEREAS: United States Senator Alan Cranston at the request of 21 preservation groups has introduced in the Senate S. 2061; and

WHEREAS: S. 2061 would designate 81 wilderness areas without complete evaluation; and

WHEREAS: Many of the proposed 81 wilderness areas have roads and are lacking in those qualities required for wilderness; and

WHEREAS: S. 2061 would create a 1.5 million acre Mojave National Park, a concept that was thoroughly studied during the California Desert Conservation Area planning process and was rejected; and

WHEREAS: S. 2061 would add 1.3 million acres from the California Desert Conservation Area to Death Valley National Monument, a concept also studied and rejected as part of the planning process; and

WHEREAS: S. 2061 would add 245,000 acres from the California Desert Conservation Area to Joshua Tree National Monument, land that was reviewed by Congress and rejected because of its enormous mineral values; and

WHEREAS: S. 2061 would convert Death Valley National Monument and Joshua Tree National Monument to National Park Status; and

WHEREAS: S. 2061 could put most of the free world's rare earths as well as other strategic and necessary minerals in jeopardy; and

WHEREAS: S. 2061 could place additional economic handicaps on private land owners, many small communities and rural counties; and

WHEREAS: S. 2061 would limit access to 9.4 million acres of lands; and

WHEREAS: S. 2061 would be costly to implement at a time when budget cuts are limiting services; and

WHEREAS: The introduction of S. 2061 violates established democratic processes which should include input from all the publics; and

WHEREAS: S. 2061 is premature, ill-conceived and contains many proposed actions which have been previously reviewed by Congress and/or thoroughly evaluated over the four years of planning for the California Desert Conservation Area and rejected for good reason.

NOW, THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to forcefully oppose S. 2061 in total.

Rotation of Subcommittee Assignments. Member Rob Flournoy suggested a future rotation in subcommittee assignments to assure a cross-representation of interest groups on the various Council subcommittees. Chairman Wells O'Brien concurred with this suggestion and requested that the members send him their preference for subcommittee assignments. He would then appraise the current subcommittee structure and make possible reassignments. He did note, however, that he intended to have the subcommittee chairmen remain in their positions until the end of the year.

Adjournment. Before officially adjourning the Council meeting, Mr. O'Brien extended special appreciation to Wyoming State Director Hillary Oden and Casper District Manager Tim Monroe for the outstanding job they had done in organizing the Gillette meeting. He also thanked the public for their attendance and commended the new Council members for their hard work and contributions during the 3-day session.

The meeting was adjourned at approximately 11:00 a.m.

AGENDA

4/24/86

Meeting of the
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
May 15 and 16, 1986

Tower West Lodge
109 North U.S. Highway 14-16
Gillette, Wyoming

Thursday, May 15

8:00 a.m. Call to Order and Welcome
Announcements. Introduction of new Council members. Election of officers for 1986.

David Schaenen, Council Chairman
Robert F. Burford, Director, Bureau of Land Management
Hillary Oden, Wyoming State Director, Bureau of Land Management
H. A. Carter, Mayor of Gillette, Wyoming

8:15 a.m. Public Land Management in Wyoming — The State View
Ed Herschler, Governor of Wyoming

8:45 a.m. Revisions to the Federal Coal Leasing Program
Tom Walker, Chief, Division of Solid Mineral Leasing, BLM

:30 a.m. Federal Onshore Oil and Gas Leasing Initiatives
Mr. Burford
Robert Lawton, Deputy Assistant Director, Energy & Mineral Resources, BLM

10:00 a.m. Break

10:15 a.m. Areas of Critical Environmental Concern (ACECs): Designation and Management
Guy Baier, Acting Assistant Director, Lands & Renewable Resources, BLM
Frank Snell, Chief of Recreation, Cultural and Wilderness Resources, BLM
Gordon Knight, Chief of Program Coordination Staff, BLM

11:15 a.m. Council Old and New Business
a. Report on Resolutions Adopted at Washington, D.C., Meeting
b. BLM Headquarters Reorganization
c. Federal Land Withdrawals: Status of Litigation
d. Update on BLM/Forest Service Interchange Proposal
e. Wild Horse and Burro Advisory Board and Program Update
f. Riparian Management Policy Update
g. Other

12:00 p.m. Lunch

ATTACHMENT A

1:00 p.m. President's Commission on Americans Outdoors
Gerry Hillier, Special Assistant to Director Burford

1:30 p.m. Public Statement Period
This period provides an opportunity for members of the public to address the Council regarding national public lands issues on the meeting agenda. Speakers are asked to submit a copy of their written testimony prior to oral delivery so that the Council will be prepared to respond or answer questions. Written statements alone may also be filed with the Council. Depending on the number of people who wish to address the Council, it may be necessary to limit the length of oral presentations.

2:30 p.m. Meeting of Council Subcommittees
Energy and Minerals Subcommittee
Lands Subcommittee
Renewable Resources Subcommittee

5:00 p.m. Recess until Friday morning

Friday, May 16

8:00 a.m. Call to Order
Announcements. Discussion of agenda for future Council meetings.

8:30 a.m. Meeting of Council Subcommittees

11:00 a.m. Report from Subcommittees to Full Council; Consideration of Council Resolutions

12:00 p.m. Lunch

1:00 p.m. Time to be Used at the Discretion of the Council to Complete Consideration of Council Resolutions

2:30 p.m. Adjourn.

# # # #

Supplemental Information: The May 15-16 Council meeting will be preceded by a field tour on May 14 of BLM-managed lands in eastern Wyoming. Because of travel and other logistical arrangements, the tour will be limited to Council members and accompanying government representatives.

Issues for Subcommittee Discussions

Renewable Resources Subcommittee
- Revised Grazing Regulations
- Grazing Subleasing
- Inspector General's Report on Range Program
- Spotted Owl Habitat Management

Lands Subcommittee
- President's Commission on Americans Outdoors
- Areas of Critical Environmental Concerns (ACECs)

Energy and Minerals Subcommittee
- Oil and Gas Leasing Legislation
- Suspension of Production Requirements for Stripper Wells

MEMBERS

NATIONAL PUBLIC LANDS ADVISORY COUNCIL

Robert H. Adams -- Valley Center, California. Owner of Adams Properties (real estate development and investments). Board Member for past 10 years of San Diego's Natural History Museum and the Zoological Society's Wild Animal Park. Formed Valley Center Community Recreation, Inc. in 1974 and developed and funded Adams Community Park. Named Citizen of the Year in 1977. Former owner of Adams Machine and Manufacturing Company; previously associated with Hughes Tool Company, Hughes Aircraft Company, R.J.M. Company, and Madsen Iron Works.

Calvin Black -- Blanding, Utah. Chairman, San Juan (UT) County Commission. President of Markey Mines. Board of Directors Member, Utah Mining Association. Regional Director of the National Conference of Republican County Officials. Member, National Association of Counties (NACo) Energy and Environment Steering Committee, and Member of NACo/WIR Board of Directors. Chairman and Board of Directors Member, Southeastern Utah Association of Counties. Member of the Utah State Land Board. Former Utah State Representative and Mayor of Blanding.

James E. Bowns -- Cedar City, Utah. Professor of Range Science, Southern Utah State College and Utah State University. Served as past President, Utah Section, Society for Range Management. Member of the Utah Agricultural and Wildlife Damage Prevention Board. Previous Member, Interior Department's Animal Damage Control Policy Study Advisory Committee. Recipient of Utah Farm Bureau's Special Service to Agriculture Award and Utah Academy of Science Arts and Letters' Distinguished College Teaching Award. Member of BLM's Cedar City District Advisory Council.

Donald Butler -- Tucson, Arizona. President, Coronado Cattle Company, Inc., managers of cattle feedlots for investors, professional feeders, and corporations. Serves as President, and as a Member of the Board of Directors, Executive Committee, and Cattle Fax Board, for the National Cattlemen's Association. Also Chairman, and Board of Directors Member, U.S. Meat Export Federation. Serves as President of Southwestern Fair Commission and Director of Arizona National Livestock Show. Director, and past President, Arizona Cattle Feeders Association. Former Trustee, Arizona 4-H Youth Foundation.

Garrey Carruthers -- Las Cruces, New Mexico. President of Garrey Carruthers Associates, Inc., management consultants. Former Assistant Secretary of the Interior for Land and Minerals Management, responsible for the administration of the Bureau of Land Management, Minerals Management Service, and Office of Surface Mining. Recently resigned as Professor of Agricultural Economics at New Mexico State University. Served previously as a White House Fellow and as a Special Assistant to the U.S. Secretary of Agriculture. Later became Acting Director of the New Mexico Water Resources Institute. Former Chairman of the New Mexico Republican Party.

ATTACHMENT B

David W. Delcour -- Golden, Colorado. Director of Environmental Affairs for AMAX, Inc. Attorney. Serves as Chairman of the Colorado Mining Association and as Chairman of the American Mining Association's Public Lands Committee. Director of the Colorado Association of Commerce and Industry. Member of the Colorado and American Bar Associations. Former Administrative Assistant to Colorado Congressman Donald Brotzman.

Roger Donlon -- Oxnard, California. President and Chief Executive Officer, Donlon Trading Company, Ltd., specializing in agricultural production. Formerly associated with Galavo Growers, Marywood, California. Graduate of the University of California at Berkeley. Served 2-year term with the U.S. Navy.

Paula P. Easley -- Anchorage, Alaska. Executive Director, Resource Development Council for Alaska, Inc., Alaska's largest private economic development organization with members representing business, labor, trade associations, chambers of commerce, native corporations and municipalities. Also manages Alaska Liaison Office of the Pacific Legal Foundation. Chairman of Alaska Resource Policy Coalition. Former business services consultant. Previously with Alaska Business Council, promoting Alaskan tourism. Member: U.S. Department of Commerce District Export Council, National Advisory Board of American Land Alliance, and Northwest & Alaska Mining Associations.

Howard (Bud) Eppers, Jr. -- Roswell, New Mexico. Rancher. President of Southeastern New Mexico Grazing Association. Chairman of the Public Lands Committee and Board of Directors Member, New Mexico Wool Growers Association. Vice President and Chairman of the Public Lands Committee, New Mexico Cattle Growers Association. President of the New Mexico Public Lands Council. Serves as First Vice President and New Mexico Representative to the National Public Land Council. Vice Chairman of National Cattlemen's Association's Public Land Committee. Member of BLM's Roswell District Advisory Council and former Chairman of BLM's Roswell District Grazing Advisory Board.

Robert L. Flournoy -- Likely, California. President of ranching operation. Director, and Member of Public Lands Committee, National Cattlemen's Association. Past President, and Public Lands Committee Director, California Cattlemen's Association. Serves as Member of California State Board of Forestry, and as Chairman of Modoc County Forestry Board. Presently Chairman, BLM's Susanville District Advisory Council, and President, Modoc Council of Natural Resources. Honored as Livestock Man of the Year (1980) by the State of California. Honorary Member, Future Farmers of America.

William Golding -- Edmonds, Washington. Businessman. Chief Executive Officer, Forest Grove Industries. Serves on Corporate Boards of: Alpac Corporation, NC Machinery Company, People's Bancorporation, and Sam Dick Industries. Attorney, and Member of the Washington State and American Bar Associations. Serves as Trustee for the Seattle Historical Society, and the Visiting Committee of the University of Washington Law School. Previously a Trustee of the Epiphany Day School, Lake School (President), Seattle Symphony, and the YMCA. Author: WHAT IT TAKES, G.P. Putnam & Sons.

Jay D. Hair -- Washington, D.C. Executive Vice President, National Wildlife Federation. Member of Natural Resources Council of America, the President's National Petroleum Council, Acid Rain Clearinghouse Professional Advisory Council, and American League of Anglers. Previously President of South Carolina Wildlife Federation and President of the Southeast Section of the Wildlife Society. Former Professor of Wildlife Biology at Clemson University and Administrator of the Fisheries and Wildlife Sciences program at North Carolina State University. Recipient of South Carolina Wildlife Conservationist of the Year Award in 1977 and North Carolina Conservationist of the Year Award in 1980.

Lawrence J. Kelley -- Houston, Texas. Chairman of the Board, SUPRA Corporation, oil and gas exploration firm. Serves as Board Member of: Digicon Corporation, an international seismic company; International System and Controls; Yukon-Pacific Corporation; Medical Arts Foundation; and Rancheros Visitadores. Member of the President's Task Force on International Private Enterprise. Past President of the Houston Club and Tejas Vaqueros.

Cecil Miller, Jr. -- Tolleson, Arizona. Rancher and farmer. President, and Board of Directors Member, Arizona Farm Bureau Federation. Member, Board of Directors, and former Vice President, American Farm Bureau Federation. President of the Western Agricultural Insurance Company, Arizona Farm Bureau Marketing Association, and Farm Bureau Service Company of Arizona. Serves as Board Member of the Central Arizona Project, Water and Man, Inc., and Mountain States Legal Foundation. Advisory Member of the National Cotton Council, Arizona Cotton Growers Association, and Governor's Groundwater Management Advisory Group. Former Board Member and Executive Committee Member, American Farm Bureau Service Company and American Agricultural Marketing Association.

Eddie Moore -- Douglas, Wyoming. President of Ogalalla Ranch Company and General Partner of Ogalalla Land Ltd. Member of the Wyoming State Senate for 12 years. President, First National Bank of Douglas. Past President, Wyoming Wool Growers Association. Served previously on BLM's Casper District Grazing Advisory Board, the Wyoming State Highway Commission, and the Wyoming Wool Marketing Board.

Peter Murphy, Jr. -- Springfield, Oregon. President, the Murphy Company, a forest products firm. Serves as Director of the Oregon Forest Industries Council and the Western Forestry Center. Past Chairman of the Board, Timber Operators Council. Former Chairman, and present Council Member, Department of the Interior's Advisory Board on National Parks, Historic Sites and Monuments. Served as Director of the Oregon Logging Conference and the Pacific Logging Conference. Past Member, Oregon Dunes National Recreation Area. Serves as Oregon National Committeeman, and Executive Council Member, Republican National Committee.

Lauro J. Neri -- West Covina, California. Sales and Marketing Consultant, Regensteiner Printing Group. Founder, and former President and Chairman of the Board, Medallion Printers and Lithographers. Former Chairman of the Board for Diamond Litho Company, Sales Engineering, Inc., and F.C.C.H. Presently Commissioner of Los Angeles County's Citizens Economy and Efficiency Commision. Serves as Director of the Foundation for Effective Government and the City of Commerce Industrial Council. Vice President and Trustee, Los Amigos del Pueblo. Director and Executive Board Member, Boy Scouts of America. Member, and former Camp Director, Rancheros Visitadores.

B. Wells O'Brien -- Reno, Nevada. Senior Partner in the law firm of Woodburn, Wedge, Blakey and Jeppson. Former Senior Vice President and Chief Counsel, MCO Properties, Inc. Served previously as Vice President of the Land Trust Department, Transamerica Title Insurance Company. Admitted to practice before the Supreme Courts of Arizona, California, and Nevada and before the United States Supreme Court, United States District Courts (of Arizona and Northern California) and the United States Court of Appeals (Ninth District). Member of the American Bar Association and the State Bar Associations of Arizona, California, and Nevada. Member, Nevada Farm Bureau.

David Schaenen -- Billings, Montana. Counsultant on oil and gas and public land matters. Director and Montana Vice President, Independent Petroleum Association of Mountain States. Director, Executive Committee Member, and past President, Rocky Mountain Oil and Gas Association. Previously Vice President of Mule Creek Oil Company, Exploration Manager for Hancock Enterprises, and Vice President-Oil and Gas Operations for Wesco Resources, Inc. Served as Chairman of the Public Lands Committee, Independent Petroleum Association of America, and as Chairman of the Public Lands Committee, American Association of Petroleum Landmen. Past President, Montana Petroleum Association. Former member of BLM's Montana State Advisory Board and Representative to the Montana Public Lands Review Commission.

J. William Swan -- Rogerson, Idaho. Rancher. Past President, National Cattlemen's Association. Former President of the Idaho Cattlemen's Association. Served for 10 years as President of the Producers Livestock Association. Previously Director of the National Livestock and Meat Board, and a Board of Directors Member for the National Livestock Producers Association. Former Member of the Forest Service's National Forest System Advisory Committee.

Robert R. Wright -- Wells, Nevada. Rancher. Former Regional Vice President of the National Cattlemen's Association. Previously President of the Nevada Cattlemen's Association and the Nevada Land Action Association. Founding President of Wells Rural Electric Company, serving northeastern Nevada and western Utah. Served previously as a Member of BLM's Elko District Grazing Advisory Board and the Elko County Planning Commission.

May 14 Council Field Tour

Council members departed from the Casper Hilton at approximately 7:30 a.m. for a day-long field tour of BLM-managed lands in eastern Wyoming. Included in the tour were visits to the Salt Creek Oil Field, the Black Thunder Mine, the Belle Ayr Mine, and the Wyodak Power Plant. Tim Monroe, BLM's Casper District Manager, served as host for the tour.

En route from Casper to the Salt Creek Oil Field, Mr. Monroe provided an overview of the Casper District's multiple-use programs and operations, and Whitney Bradley, Assistant District Manager for Minerals, discussed the history of the Teapot Dome Scandal that involved Federal lands in the Powder River Basin. Jim Melton, BLM's Platte River Resource Area Manager, also provided an overview of his resource area's programs and discussed the Salt Creek Area of Critical Environmental Concern (ACEC) and Amoco's oil and gas leasing operations at the site. He noted that this oil field is one of the oldest and largest in Wyoming.

Upon arrival at Amoco's headquarters at Salt Creek, Jerry Summer of Amoco provided members with a historical perspective on the site and Mike Castleberry discussed current operations. Mr. Castleberry noted that there were 997 producing wells at Salt Creek, comprising 4 percent of Wyoming's oil production. He also commented at some length about the negative impact that deflated oil prices were having on the operations, and the subsequent impact that this would have on the local county in terms of tax revenues. Mr. Castleberry also discussed environmental aspects of Amoco's operation at Salt Creek.

Jim Melton next discussed BLM's establishment and management of the Salt Creek ACEC. He noted that the ACEC status was given to the area to provide special management attention and reduce environmental hazards, while still allowing for other multiple uses of the land. He stressed that the ACEC designation is not a "lock-up." Mr. Melton also noted some of the accomplishments that had been achieved in the Salt Creek area, including an effective clean-up campaign, granting of rights-of-ways, and realty casework with local communities. He suggested that the Council, during its meeting sessions in Gillette, focus on how ACECs are used and the common sense and realistic approach that are needed to develop a plan and work out problems as they arise.

Wayne Peterson of Amoco then explained the water flood injection system used at the Salt Creek plant and took the members on a bus tour of the grounds and operating facilities.

Leaving the Salt Creek plant, members were briefed on the Bureau's Federal coal and oil and gas leasing activities in the Powder River Basin. Whitney Bradley discussed the unique problems that arise in managing split estate lands. He also noted the very intensive mineral leasing activity that occurs within the Casper District. BLM mining engineers Ed Coy and Brian Hannigan joined in the briefing to provide an overview of coal leasing activity in the area. They explained that the Powder River Basin is the largest producer of Federal coal in the country and that the Casper District has 90 percent of the Federal coal production in Wyoming. They also noted that Arco's Black Thunder Mine is the largest producing coal mine in the United States due in large part to its quality low-sulfur coal and its proximity to the rail market.

ATTACHMENT C

Upon arriving at the Black Thunder Mine, Lyle Rand and Jim Comer of Arco provided background on the mine's operation, noting that 2.5 million tons of coal were extracted the previous year. They also discussed the extensive reclamation activities that had taken place at the mine site, emphasizing that the environmental program was an important part of the mine's business. In touring the mine, members viewed the crushing operation, the storage facility for loading rail cars, and the reclamation site where lands had been revegetated to provide wildlife habitat.

The next stop on the field tour was at the Belle Ayr Coal Mine operated by the AMAX Corporation. It was explained that both private and Federal coal reserves were being extracted at the mine and that a large portion of the lands were being reclaimed for grazing, dry land farming, and wildlife habitat. AMAX had also recreated a subsurface acquifer to approximate pre-mining conditions. In touring the facility, members examined the reclaimed site, where reclamation seeding had begun in 1976, and also witnessed a dynamite shot opening approximately 200,000 tons of coal for extraction.

After leaving the AMAX Coal Mine, the final stop on the field tour was the Wyodak Power Plant, the largest air-cooled steam-electric operating plant in the world. It was explained during a tour of the plant that it was designed to have a minimum effect on the environment, with close to 20 percent of the total construction costs being spent on environmental measures. Fuel for the plant is low-sulfur Federal coal that comes from the Wyodak coal mine.

This concluded the Council field tour, and the members returned to Gillette, where they would begin their formal meeting sessions the following morning.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

APR 14 [illegible]

Memorandum

To: Members, National Public Lands Advisory Council

From: Assistant Secretary, Land and Minerals Management

Subject: Department Responses to Council Resolutions Adopted at the November 14-15 Meeting in Washington, D.C.

We have reviewed the resolutions that the council adopted at its November 14-15 meeting in Washington, D.C., and would like to report back to you on actions that we have taken on each of them. Enclosed for your review and consideration are the Department's responses to the 10 resolutions.

We will be pleased to discuss the Council resolutions and the Department's responses further with you at your upcoming meeting in Gillette, Wyoming.

Enclosures (10)

ATTACHMENT D

PUBLIC AWARENESS CAMPAIGN -- "TAKE PRIDE IN AMERICA"

Resolution

WHEREAS: The public awareness campaign launched by the Secretary of the Interior is an initiative involving citizens and private sector organizations at all levels; and

WHEREAS: The campaign message of promoting wise use and stewardship applies to all public lands and natural resources; and

WHEREAS: Many national level constituency organizations of the Department are already involved in related efforts and can provide support for the Department's program through their membership and contacts; and

WHEREAS: The Advertising Council, Inc. has encouraged development of a coalition of national level constituency groups to assist in guiding and sponsoring the campaign.

NOW THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council encourages the Secretary to establish a Public Lands and Natural Resources Coalition of national civic, conservation, environmental, user groups, other private sector organizations, and government agencies interested in wise use of public lands; and

BE IT FURTHER RESOLVED: That the role of the Coalition should be as follows: to assist in development of the campaign materials; to provide feedback on members' experience in similar campaigns; to disseminate campaign materials and encourage utilization of campaign materials by local chapters; to publicize the campaign message through their newsletters and communications channels; and to undertake activities that support the campaign at the national level, as well as assist members in developing local programs.

Response: The concepts expressed in this Council resolution are being implemented in a number of ways. Recognizing that the success of the Take Pride in America campaign will largely depend on the cooperation and support of private, State, local and other Federal agencies and organizations, Secretary Hodel has created a Take Pride in America Steering Committee, consisting of Bureau directors and Assistant Secretaries, and representatives of other Federal departments which have joined in supporting the campaign. A field task force, comprised of Interior agency field employees has also been created.

Several other Federal departments have joined in supporting the program, together with a number of private organizations. Governors have been contacted and asked to designate representatives to help coordinate State and private efforts in behalf of the campaign, and to cooperate in recognizing citizen and corporate participation. Individual Congressmen have also been contacted and responded positively to the program.

Working with Keep America Beautiful, Inc., planning is under way for a nationwide program of Public Lands Day activities. Discussions with KAB on designing and administering a recognition program are also proceeding. In working with the private sector, however, our goal is not to supplant existing or ongoing programs, but to encourage and reward such efforts; thus there may be no need for an elaborate organization to orchestrate private efforts. Such coordination as is currently necessary is being conducted by the Secretary's Take Pride in America Task Force. As the campaign grows in scope and complexity, however, and as more and more entities become involved, consideration will be given to the establishment of a more formalized coalition as envisioned in this resolution.

CONSIDERATION OF PRIVATE LANDS IN SECRETARY'S
"TAKE PRIDE IN AMERICA" INITIATIVE

Resolution

WHEREAS: The National Public Lands Advisory Council has expressed strong support for the Secretary of the Interior's Public Lands Eductional Campaign and applauds the effort to create an awareness by the American public that it should take better care of these lands; and

WHEREAS: The public lands, however, cannot be viewed in a vacuum. Private and State-owned or administered lands are adjacent or intermingled with public lands and are usually indistinguishable from the public lands; and

WHEREAS: The inclusion of a theme promoting respect for property rights, both public and private, would not only address a true land management need, but would enlist the support of private land holders nationwide for the "Take Pride in America" theme.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior's initiative include a plea for consideration of the rights of all land ownerships, as well as those of the public lands.

Response: The Bureau of Land Management and other Interior agencies are taking steps to incorporate this excellent recommendation into the Take Pride in America campaign. The compaign will focus largely on citizen action and education, with a special emphasis on promoting good outdoor manners among all those who use and enjoy America's outdoors. Respect for private, as well as public property, will be a key ingredient in this effort.

PUBLIC LANDS FOUNDATION

Resolution

WHEREAS: In support of the Secretary of the Interior's public lands educational campaign, the Bureau of Land Management is considering the establishment of a Public Lands Foundation; and

WHEREAS: The purpose of the Foundation would be to provide private sector support to the Bureau by encouraging and managing donations; and

WHEREAS: Such a foundation would also facilitate communication and cooperation among all groups interested in the public lands and provide an additional avenue for these groups to contribute to land management efforts.

NOW THEREFORE, BE IT RESOLVED: That the National Public lands Advisory Council supports and encourages the Secretary of the Interior in establishing a Public Lands Foundation and advises the Director to pursue passage of the required legislation; and

BE IT FURTHER RESOLVED: That the Chairman of the National Public Lands Advisory Council, or his assignee, be appointed by the Secretary of the Interior to serve on the proposed Public Lands Foundation Board in conformance with the goals, policies and rules of said Board.

Response: The Bureau of Land Management is pursuing establishment of a Public Lands Foundation. Such a foundation would provide private sector support to the Bureau in a manner not otherwise possible through normal government processes. The foundation could accept and administer gifts from private citizens to further the management of public land resources. It could also facilitate communication among interest groups and provide avenues through which they could contribute to land management efforts and public awareness. The Bureau is now in the process of drafting legislation that would call for the establishment of this Public Lands Foundation.

USE OF THE ARIZONA STRIP WILDERNESS AREA PROCESS FOR FUTURE WILDERNESS LEGISLATIVE PROPOSALS

Resolution

WHEREAS: The Secretary of the Interior is required, under the Federal Land Policy and Management Act, to study and recommend to the President, those public land areas to be protected under wilderness; and

WHEREAS: The wilderness study process requires public participation and comment from all individuals and groups interested in wilderness designation; and

WHEREAS: The public land resources are an integral part of State and local recreational-wildlife resources and the economy; and

WHEREAS: The Arizona Strip Wilderness Area process, initiated and fostered by Arizona interests using appropriate consultation with the Federal Government, led to a locally agreed upon single legislative proposal for wilderness and mutiple-use designation; and

WHEREAS: The Congress passed and the President signed into law the Arizona Strip Wilderness Act.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council supports the use of the Arizona Strip wilderness area process in the preparation of single, statewide wilderness legislative proposals developed under State and local leadership, in concert with the Bureau of Land Management and U.S. Forest Service.

Response: The Department of the Interior strongly favors the consensus-building process that was used in developing the Arizona Strip wilderness legislation, and we are seeking opportunities to encourage the same process in other States.

To assure that the wilderness question will be resolved as soon as possible for all Wilderness Study Areas on a statewide basis, the Department plans to complete its statewide wilderness legislative proposals and have them ready for submittal to the President in 1989 and 1990. These proposals could be completed at an earlier date, were it not for the statutory requirement that the Department conduct formal mineral surveys on all areas recommended as suitable for wilderness designation. In the meantime, we encourage State, local and private groups to work together to develop a consensus on wilderness legislative proposals, and we are prepared to assist them in their efforts.

RESOLVING NATIONAL PARK MANAGEMENT ISSUES AFFECTING LANDS ADJACENT TO PARKS

Resolution

WHEREAS: The National Public Lands Advisory Council opposes the establishment of buffer zones around our national parks; and

WHEREAS: The Department of the Interior has established a working group with members from various agencies of the Departments of Interior and Agriculture to study and develop programs for resolving issues that may arise in the management of national parks which affect the lands adjacent to the parks; and

WHEREAS: All National Parks and adjacent Bureau of Land Management, Forest Service, other Federal lands, and private lands are located in the various States and counties of this country and are within the jurisdiction of State and local governments and their decisions directly affect the people living therein; and

WHEREAS: The working group proposes to resolve these issues through an administrative procedure involving the cooperative effort of the various Federal agencies; and

WHEREAS: The Council believes that any cooperative effort resulting in a sound resolution of such issues requires not only good communication between the agencies but also a working understanding of the particular problems and concerns of each of the agencies by the other agencies; and

WHEREAS: Any solution involving adjacent lands requires the consideration by and input of the private landowner and local governments;

THEREFORE, BE IT RESOLVED: That the Council supports the decision of the working group to resolve these issues through administrative procedure and that no new planning, reporting, monitoring or other regulatory system is needed; and

BE IT FURTHER RESOLVED: That the Council supports the efforts of the working group to increase the communications between agencies, and respectfully suggests that a program be instituted by the Secretary to improve the understanding of the problems and concerns of each agency and the communications between agencies through an interchange of management personnel within the Department of the Interior; and

BE IT FURTHER RESOLVED: That the Council believes that the input of the private landowners and local government is absolutely essential to any resolution of the issues and recommends that the working group take the steps necessary to recognize these interests in the working group's planning and decision process, including the possible establishment of official advisory committees to represent these interests.

Response: We appreciate the Council's support for the recommendations developed by the Under Secretary's working group on park protection. We believe that if these recommendations are implemented, the Department will be able to resolve national park management issues that involve and affect lands adjacent to the parks.

The Council's position that Federal agencies must work with State and local governments and private landowners to resolve potential conflicts is also well taken. Although we are all interested in maintaining the integrity of our national parks, the concerns of adjacent park neighbors must also be fully considered when decisions affecting their lands and livelihood are being made.

The Department believes that with support from groups such as the Council, we will be able to implement the Park Protection Working Group recommendations and to administratively resolve national park management issues that affect lands adjacent to the parks.

INTEGRAL VISTAS

Resolution

WHEREAS: The National Park Service urged the Environmental Protection Agency (EPA) to include provisions for the identification and protection of integral vistas, and final regulations were published by EPA in the Federal Register on December 2, 1980 (Visibility Protection for Federal Class I Areas); and

WHEREAS: Listing of Integral vistas would require States to "consider" them when making decisions affecting air quality, and such consideration would result in confusion, confrontation, uncertainty and costly litigation from unknown, unpredictable protection requirements.

NOW THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council commends the Secretary of the Interior's decision not to single out integral vistas for priority protection as a correct and appropriate one; and

BE IT FURTHER RESOLVED: That, in future deliberations over the concept of integral vistas, the following concerns be addressed:

(1) That State, local and private interests in lands and resources attendant to national park boundaries be considered and protected on the basis of sound cost-benefit analysis and other multiple-use concerns; and

(2) That there be strict adherence to the national goals of a sound economy, resource production, energy and mineral self-sufficiency and national security.

Response: We appreciate the Council's support for the Secretary's decision not to list Integral Vistas for priority protection.

As you know, preservation of the ecological and scenic values of our national parks is very important to the Secretary and the Department. At the same time, we feel it is critical that careful consideration be given to the direct or indirect impact that imposed protection requirements could have on adjacent State, local and private lands. The Department's decisions and actions, as pointed out in this Council resolution, also need to be consistent with national-level goals of a sound economy, resource production, and energy and mineral self-sufficiency.

We believe that the position the Council has taken on this issue relects the broad public view, and we appreciate the time and careful consideration that you have given to this policy question.

WILD HORSE AND BURRO PROGRAM

Resolution

WHEREAS: The National Public Lands Advisory Council commends the Bureau of Land Management for its responsiveness to the resolution passed by the Council in Reno, Nevada, regarding the need to reduce numbers of wild horses and burros on the public lands, and for its implementation of the adoption program under Section 3(b) of the Wild Free-Roaming Horse and Burro Act (Public Law 92-195) as amended; and

WHEREAS: The Bureau has responsibility for feeding and maintaining approximately 3500 feral horses which are unadoptable due to age, quality, disposition, and various undesirable characteristics at a cost per animal of $3 per day; and

WHEREAS: Because these unadoptable animals will have to be maintained indefinitely at significant taxpayer expense.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council endorses limited sales authority for the Secretary of the Interior as a means of disposing of excess, unadoptable wild horses and burros.

Response: The Department of the Interior has supported legislative proposals introduced in the last several Congresses that would have authorized sale at auction of unadopted, excess wild horses and burros. Although no such legislation has been introduced as yet in the 99th Congress, the Department continues to support the concept as an alternative to the presently required destruction of these animals. Because of the uncertain outlook for such legislation, we are also exploring various other options to enable more efficient operation of the wild horse and burro program.

OMNIBUS GRAZING RESOLUTION

Resolution

WHEREAS: The 1934 Taylor Grazing Act established the principle of user participation in management through district grazing advisory boards; and

WHEREAS: The ecological status of public rangelands has improved under this public/private partnership; and

WHEREAS: The Taylor Grazing Act has, as a major objective, the stability and maintenance of ranching communities; and

WHEREAS: The current grazing fee formula recognizes changing economic conditions.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council strongly supports:

(1) Continuation of the current grazing fee formula using 1964-68 base for indices;

(2) Extension of district grazing advisory board authority;

(3) Continuation of experimental stewardship programs, and the application of the results to other public land areas;

(4) Continued reliance on land use monitoring, grazing and planning programs and the advisory boards to establish the suitability and levels of use of public grazing lands.

Response:

(1) President Reagan issued an Executive Order on the grazing fee on February 14, 1986. Executive Order 12548 directs the Secretaries of the Interior and Agriculture to continue using the current PRIA formula for determining livestock grazing fees on public rangelands, provided that the fee does not fall below $1.35 per animal unit month (AUM), and that the annual increase or decrease in the fee "shall be limited to not more than plus or minus 25 percent of the previous year's fee." Unless there is further action by the President or Congress, the Secretaries of the Interior and Agriculture will administer the grazing fee in accordance with the Executive Order.

(2) Secretary Hodel has directed the Bureau of Land Management to re-establish the District Grazing Advisory Boards in accordance with the provisions of the Federal Advisory Committee Act. It is the Secretary's intent that, to the extent permitted by law, the boards continue to perform the same functions and operate within the general framework as set forth under the previous charter pursuant to Sections 403 (a)-(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753).

(3) The Bureau and Department concur with the Council's recommendation to continue the experimental stewardship programs and to apply the results to other public land areas. This direction is reflected in the recently released Experimental Stewardship Report that was sent to Congress.

(4) We also concur with the Council recommendation to continue reliance on land use monitoring, grazing and planning programs and the advisory boards to establish the suitability and levels of use on public grazing lands. We have and will continue to oppose legislation that would complicate these processes.

IDENTIFYING BENEFITS TO NON-COMMODITY VALUES ON PUBLIC LANDS

Resolution

WHEREAS: Rangelands are a vital and productive component of this nation's natural resource base and are recognized for their production and multiple-use values; and

WHEREAS: Domestic livestock is one of these resources, and while providing a commodity benefit to producers and consumers, it also provides many non-commodity benefits to the general public in the form of resource stewardship; and

WHEREAS: The combined cooperative Federal-State-private stewardship programs for range improvements enhance water quality, reduce soil erosion, enhance wildlife and fisheries habitat and improve the aesthetics of the landscape; and

WHEREAS: Current Office of Management and Budget procedures for program justification do not recognize these non-commodity values and do not have to consider them in evaluating program outlays for management versus program income from fee assessment; and

WHEREAS: Recent research has developed procedures for economic assessment of non-commodity values which can be measured in economic analyses.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to implement a research program to identify and quantify these values using the same economic rationale as it does for determining commodity values.

Response: Several agencies within the Department of the Interior, including the Bureau of Land Management, National Park Service, the Fish and Wildlife Service, and Bureau of Reclamation have participated with the U.S. Forest Service, U.S. Army Corps of Engineers, State agencies, and others in research activity designed to identify and quantify non-commodity values. To date, most of this research has focused on determining wildlife and recreation-related values. Department personnel have been involved in the development of state-of-the-art procedures for several years. While methodology utilizing the same economic rationale as that used in determining commodity values ("willingness to pay") does exist, its application has been limited.

Functioning markets do not exist for many of the goods produced on public lands; thus, valuation of these non-market commodities requires that information on "prices" or willingness to pay and the quantities taken be developed. A systematic or consistent application of methods or procedures for the development and application of output and value information have yet to be adopted and applied. Department and agency efforts to do this continue. While there appears to be a growing interest in non-market commodity valuation and in the allocation of public funds to projects that show promise of a positive return on public investment, expected funding may slow the acquisition of needed information. The BLM and States of Idaho and Montana are participants in valuation research being conducted by the Forest Service and are represented on a Western regional committee of agency and university economists that is studying wildland resource valuation.

In summary, the Department is an active participant in resource valuation research and data acquisition. The capability of the BLM to support research and data acquisition is limited. Whether the States will allocate resources to support development of value information is not known. We are willing to discuss the matter in greater detail with the Council, and would give consideration to a recommendation that the matter be given higher priority for funding.

AUTHORITY FOR TESTING AND REGISTERING HERBICIDES

Resolution

WHEREAS: The approved authority for herbicide registration resides with the Environmental Protection Agency (EPA); and

WHEREAS: The Environmental Protection Agency certifies for use certain herbicides to control noxious weeds and undesirable shrubs; and

WHEREAS: As the result of a judicial decision, each public agency using herbicides was required to perform site-specific research which duplicated EPA's registration research for those herbicides applied to public lands; and

WHEREAS: Individual agency duplicative testing is lengthy, laborious and expensive in the extreme; and

WHEREAS: Noxious weed and undesirable shrub control is essential to the protection and enhancement of public land values; and

WHEREAS: Noxious weed and undesirable shrub spraying has been suspended in many areas, leading to substantial infestation or reinfestation in these areas; and

WHEREAS: Unless undesirable plants are controlled, substantial harm will result to the public lands due to their proliferation.

NOW THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends to the Secretary of the Interior that he consider concurrently two solutions to the testing process:

1. Seek immediate legislative authority to place the control of testing and environmental analysis for registration of herbicides solely under the authority of the Environmental Protection Agency and to require that all Federal agencies must utilize such registrations by amending the Federal Insecticide, Fungicide and Rodenticide Act of 1972, as amended.

2. Seek judicial relief approving consolidation of herbicide testing, analysis and registration solely in the Environmental Protection Agency.

Response: The Secretary of the Interior is working closely with the Council on Environmental Quality to seek legislative relief from site-specific research that duplicates work already performed in the registering of pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) of 1972 (as amended). In fact, Congress has already recognized this dilemma of duplicate work and is currently considering an amendment to FIFRA restating the authority of the Environmental Protection Agency as the sole responsible agency for research and for registering pesticides.

The Bureau of Land Management has completed the court-mandated Worst Case Analysis (WCA) for the use of herbicides and expects to petition the court immediately to lift the injunction for herbicide use on noxious weeds. Additionally, the Bureau has completed a draft WCA for forestry use and is currently in the final stages of completing a draft Environmental Impact Statement for Control of Competing Vegetation on Rangeland with a WCA.

Testiimony National Public Lands Counsel
Tower West Motel ---Gillette, Wyoming

Ladies and Gentlemen of the Council,

My name is Marlene Simons, and I am representing the Wyoming Legislature's Agricultural, Public Lands and Water Committee, National Inholders and Outdoors Unlimited, Inc. today. Wearing three hats but with the same basic thoughts.

It is difficult to know where to start as there are so many brush fires concerning Bureau of Land Management, lands and public lands in general. Access to Public Lands has been a topic of contreversy in Wyoming with one Congessional hearing on it held this March. There are millions of acres of Wilderness in Wyoming in National Forests and now the drive is for more acreage from BLM Lands. When is enough, enough? The same people who want more wilderness are the same groups filing law suits against private land owners for access to BLM lands thru their private property. These same organizations are also attempting to stop access across forest lands for timber development. The access problem is a top issue for the BLM in Wyoming and they need to keep in mind exactly where private property rights end. The people in agricultural are hard enough hit with the economics of survival without having to turn their places into play grounds for the sportsman without proper compensation. Access should be only on a one to one basis with the Bureau negotations with the land owners. Fishing and Hunting is being encouraged by recreational groups as a way to enhance income to agricultural but the big issue is the liability insurance to cover such activities. The state of Wyoming and the western states in general must not become just the playground of the east. We must keep encouraging wise multipule uses of the public lands.

I would hope the Counsel would consider strong resolutions on

ATTACHMENT E

Federal reserved water rights and carefully consider that in the West especially in Wyoming our water belongs to the state thru our constitution by Congress with that provision in it. The law suit filed on Federal Reserved Water rights for Wilderness will be a disaster as the net result of any new development requiring water either in or upstream from a wilderness area will be precluded. Hopefully this decision from the US District Court of Colorado will be overturned but the issue is still there and perhaps will go over into Bureau of Land Management wilderness area's. Hopefully this Counsel will address this issue in resolution form at this session. Thank you for your time.

Public Lands Institute

1350 NEW YORK AVENUE, N.W.
SUITE 300
WASHINGTON, DC 20005
202/783-7800

New York Office
122 EAST 42ND STREET
NEW YORK, NY 10168
212/949-0049

Western Offices
220 BUSH STREET
SUITE 1100
SAN FRANCISCO, CA 94104
415/398-4404

25 KEARNEY STREET
SAN FRANCISCO, CA 94108
415/788-7924

Statement by Charles H. Callison, Director, Public Lands Institute

To the National Public Lands Advisory Council
(May 15th, 1986, at Gillette, Wyoming)

I wish to commend and support the presentation made by BLM staff here today on Areas of Critical Environmental Concern. And to stress the importance of the ACEC program. I know that technically, in BLM's planning and administrative procedures and nomenclatures, that ACECs are not considered a "program"; nevertheless, in the viewpoint of the public and from the standpoint of potential conservation results, it is a program.

The directive in FLPMA to "give priority to the designation and protection of areas of critical environmental concern" gives the Bureau what may indeed be its most important conservation obligation. I say this because of the scope of the resources involved: the archeological and historic sites that illuminate the history and pre-history of the West; palentological sites of great scientific interest; exceptional scenery; critical habitat for wildlife; endangered species; relict plant communities, also of great scientific interest; and natural systems such as springs or flowing streams and their riparian zones, volcanism and geyser basins. Then there is another category in the ACEC definition -- "natural hazards"

such as avalanche, earth slide and flooding areas.

These special resource values occur singly or in combination, in special places on the public lands -- essentially a manifestation of the fascinating diversity of the lands that BLM administers.

Of course they are diverse, distributed as they are from the high plains east of the Rockies to the "desert" southwest, to the coastal forests in Oregon and to the Alaska tundra. Natural scientists have exulted in the remarkable diversity of the BLM lands. So have millions of Americans who turn to the public lands for inspiration and recreation. The hundreds of special places are out there among all that natural diversity.

The ACEC provisions of FLPMA were so crafted that BLM can fit the protection of their special resources into the context of multiple use. Most of these special areas -- gems of scenery and geologic phenomena, critical habitats for wildlife, historic and archeologic treasures, rare plant communities -- wouldn't qualify as wilderness because they aren't large enough or they have roads and other "works of man" within them. Therefore BLM can use certain management techniques to protect and enhance the special resource values that would not be available within designated Wilderness.

The Director's Instruction Memo of March 6 outlining an action plan to achieve "a consistent approach Bureauwide to Areas of Critical Environmental Concern designation" was timely and

and constructive. I was pleased to see it. Implementation of the ACEC directive has been anything but consistent -- strong in some states, weak or absent in others. This became strikingly apparent to me in the course of a two-year study of BLM's ACEC activity that I completed last December. The action plan of the March 6 memo lifts the designation and protection of ACECs to the priority level intended by Congress. I offer the whole-hearted cooperation of the Public Lands Institute and the Natural Resources Defense Council.

Statement

of

James, Courtney, Chairman

Public Lands Committee

National Cattlemen's Association

before the

National Public Lands Advisory Council

Gillette, Wyoming

May 16, 1986

The National Cattlemen's Association is the national spokesman for all segments of the nation's beef cattle industry--including cattle breeders, producers and feeders. The NCA represents approximately 230,000 professional cattlemen throughout the country. Membership includes individual members as well as 49 affiliated state cattle associations and 22 affiliated national breed organizations.

Gentlemen, my name is Jim Courtney, a rancher from Alzada, Montana and I am currently serving as the Chairman of the National Cattlemen's Associations Public Lands Committee.

Those of us in the livestock industry have encountered perhaps one of the most severe economic disruptions in our ranching operations since the turn of the century. The action taken by the Administration following the collapse of the legislative initiative was a bold and prudent decision.

Stabilization of the western livestock industry is more than just a noble jesture. It is recognition of families, communities, jobs and a heritage! It is recognition of a symbol of the spirit of America.

The grazing fee decision does not end the controversy over grazing by domestic livestock on our public ranges. The battle over multiple-use continues with those who have mislabeled multiple use to mean competitive use.

The stewardship provided by the western livestock industry has produced many terciary benefits to the American public and has opened vast opportunities for other recognized public use.

Our job, as stewards of the land has been to enhance our opportunities while expanding the terciary benefits to the public. Too much time, effort, money and benefits are wasted arguing over the past abuse of these lands.

The key to enhancing opportunity and for making needed investments to our natural resource base hinges on cooperation. In other words, working together in harmony to achieve multiple use objectives.

Cooperation cannot be achieved by user groups attacking each other, mis-statements distortion of data, all which create a public image of disharmony and mis-trust.

Much of this attitude,, which generates a negative perception about our public lands can be avoided through a good communications and information program.

I come here today as a representative spokesman for my industry to recommend that we move forward on a cooperative communication/information program. A program that will inform the public with accurate facts and findings about our resources. A program that will create an atmosphere of harmony. A program that will provide a vehicle for people to communicate. A program that encourages and fosters an open and honest exchange of information. A program that provides a framework to come to the

table to work out our differences rather than a constant berrage of verbal public rhetoric.

For these reasons, I would like to offer this Council the following recommendations for a communication/information program.

(1) The Department of Interior (BLM), (F&WS), Department of Agriculture (Forest Service and Extensions Service) develop an inter-disciplinary capability for a mutually coordinated communication/information program relative to our nations natural resources and their use;

(2) The same Federal agencies establish a citizens advisory commission composed of Professional communicators to advise and counsel the Departments consistent with recommendation #1;

(3) The agencies involved develop similar such inter-disciplinary teams at a state and local level to foster the objective of recommendation #1 at all levels of government;

(4) Identify key facillitator groups, designate a "lead" agency and establish a working relationship;

(5) Develop a plan of action for Communications and technology transfer;

(6) Develop a plan of action for implementation of recommendation #5;

I have taken the liberty to enclose two documents regarding a more detailed description of what I feel is needed for a communication/information program.

Dr. Robert Barnes and Professor George Tanners' views at the South-eastern Grazing Lands and People conference in Atlanta, Georgia in 1984 can serve as a model for such a program.

Preception of needs rather than deception will be critical to a cooperative grazing management program that fosters on the ground-range improvement for wise multiple-use.

Communications for Research

Robert F. Barnes
Deputy Administrator for Southern Region
Agricultural Research Service, USDA
New Orleans, Louisiana

In the development of any communications program, there are two fundamental functional entities involved, namely, a point of origin or communicator and an end point, often referred to as users or user groups. These two entities may also be referred to as players and audience, or consultant and client, respectively.

The communicator/players/consultants must acknowledge that their users/audience/clients exist and that they are dependent upon them for information, results of their work (research), or their thinking. The audience can only absorb a portion of what the players have to give. There is a gap between the potential and achieve results. The absorption capacity of the audience, therefore, is a limiting factor.

An effective communicator must assess and accommodate (address) the key readiness and absorption rate factors of the users. Effective transfer of information involves an expansion of the users' capacity to absorb input.

A critical key to successful communication is to achieve some degree of user satisfaction or reinforcement as quickly as possible in the early stages, e.g., in the first (project) or pilot project of a major program. One must develop the users' readiness to respond.

Factors involved in the readiness to respond include:

1. How do key people view the project and its goal?
2. How motivated are they to reach the goals?
3. Do they agree on the approach?
4. What is the degree of sophistication of methodology?
5. What are the impacts?
6. People must be involved in decisionmaking and implementation.
7. Skill and competence.

To be efficient (i.e., doing things right) and effective (i.e., doing important things right) in any program activity, one must be organized and able to take action by implementing the program.

Organization:

1. Need/problem/issue identification.
   (a) One must first identify the need, problem or issue of concern through contacts with the originators of information, i.e., the research agency, group or scientist, and by contact and questioning potential users or clients.

(b) One must then identify the specific items (e.g., resource issue) that should be addressed. In the case of research, it may involve determining the actual or potential use of existing (or developing) research information for some user or user group.

2. Designate a single individual or group to be responsible for:
   (a) Initial or preliminary contacts with potential users/clients.
   (b) Development of proposed organizational structure of action.

3. Establish ad hoc planning groups.
   (a) Identify the "lead" agency or communicator that will be responsible for contacting key user groups or clients.
   (b) Identify key user groups or clients that one wishes to communicate with or transfer technology to.
   (c) Establish working relationships between the two groups.
   (d) Inventory possible projects, establish priorities, examine the current technology transfer effort, and solicit/review/evaluate proposals for implementation.
   (e) Develop action plan:
      (1.) Statement of issues to be addressed.
      (2.) Strategy to be employed.
      (3.) Roles and responsibilities of various agencies/communicators and user groups/clients.
      (4.) Cost estimates and budgeting.

Implementation:

Implementation involves taking action through the development of an application/operational plan.

1. Title

2. Message:
   (a) Define the nature of the problem or issue.
   (b) Identify available resources and what needs to be developed further.

3. Objectives:
   (a) Short and long-term.
   (b) Expectation for accomplishment.
   (c) Measurable terminology.

4. Audience/clientele:
   (a) Expected users.
   (b) How users will benefit.
   (c) Characteristics of user:
      (1.) Small, well defined and easily reached.
      (2.) Large, poorly defined and difficult to reach.
      (3.) Specialized groups, e.g., professionals.
   (d) Prioritize user groups.

5. Team for action:
   (a) Team leader
   (b) Skills needed:
      (1.) Researchers
      (2.) Writer/translator
      (3.) Extension specialist
   (c) Work units based on:
      (1.) Subject matter.
      (2.) Audience type.

6. Media:
   (a) Selection of the method of communication/technology transfer will depend primarily on the audience and available resources.
   (b) Vehicles to reach audience to be reached:
      (1.) General public:
         - Mass media--news releases and stories to newspapers, periodicals, TV, radio or wire services. News pay be defined as items that affect the welfare, health, or wealth of a large number of people, or stimulate their imaginations. Items with these objectives will find ready acceptance as news.
         - Popular pamphlets.
         - Public hearings.
      (2.) Consumers:
         - Technical seminars, workshops, and demonstrations.
         - Publications, e.g., "How to" pamphlets developed from journal publications and technical bulletins.
         - Slide/tape programs, film, video.
         - One-to-one or one-to-group technical assistance.

7. Cost:
   (a) Personnel and travel.
   (b) Media materials
   (c) Contacting materials
   (d) Funding sources materials
   (e) Distribution of funds.

8. Evaluation methodology:
   (a) Set goals that are measurable in specific terms/time.
   (b) Set goals related to project activity.

9. Other aspects to consider include:
   (a) Schedule
   (b) Approval
   (c) Documentation
   (d) Implementation

DEVELOPING A SOUTHERN GRAZING RESOURCES PROGRAM

The Role of Extension Education

George W. Tanner
Assistant Professor and Range Extension Specialist
Department of Wildlife and Range Sciences
University of Florida

Abstract

The USDA Cooperative Extension Service, in association with Land-Grant Universities, presently has approximately 460 people working directly or indirectly with the grazing land resource in the 13 southeastern states. These people work in the areas of agronomy (forage and crops), animal science, forestry, wildlife, fisheries and aquaculture, natural resources, and range. Their role is to transfer information concerning resource management methodology, alternatives, and anticipated results to agricultural producers and the populace at large, including both adult and youth audiences. The packaging of resource management-related information and the means of transferring this information differs with respect to the different audiences.

Introduction

The Southeastern grazing land occupies a very diverse region of the United States. Topographically, this region includes deltaic floodplains, coastal plains, piedmont, and the southern Appalachian Mountains. It is characterized by a natural forested ecosystem, with several major forest types represented: bottomland hardwoods, longleaf-slash pine, mixed loblolly-shortleaf pine/hardwoods, and upland hardwoods. Human settlement promoted extensive agricultural development, which resulted in the clearing of forests for the production of crops and livestock.

Today the grazing land resource in this region is comprised of all areas that are capable of supplying forage for grazing animals. These diverse areas include freshwater and coastal marshes, open rangelands, forested range, various types of tame grass and legume pastures, and row crop stubble. These different grazing resources, or land classes, require different types of management strategies to achieve optimal forage production and livestock utilization. This paper discusses the role of the USDA Cooperative Extension Service (CES) in educating and advising people, both agricultural producers and the public-at-large, in the Southeastern region about optimum utilization of their grazing resources for the benefit of all.

Discussion

The CES typically is structured whereby in each state there are state-level administrative staff, state and/or district-level "specialists", and one or more local extension agents in each county of each state. The county staff may have a specialized program direction or may have to address a wide range of resource

needs. Four hundred fifty-eight extension specialists in the 13 Southeastern states have expertise in some aspect of the grazing land resources (Table 1). Dr. Troy Johnson, Extension Forage Specialist in Georgia, indicates that only approximately 35 of the 150 agronomy specialists in the Southeast actually work with forages; the remainder are row-crop specialists. The disciplines of wildlife, fisheries and aquaculture, natural resources and range have the fewest number of people with extension education responsibilities. Although these latter disciplines obviously need strengthening in manpower, the CES does have an existing structural network of personnel and expertise on which to build a strong grazing lands resource program.

The primary role of the CES in developing a grazing lands resource program is that of information transfer. Several implications are contained in this role: 1) there exists a body of information to be transferred; 2) there are means of packaging and transferring this information; and 3) there are constituencies to whom this information needs to be transferred (Fig. 1).

One of the three major constituencies identified (Fig. 1), each requires a different means of packaging and delivering the same set of basic information. The first constituency includes CES personnel, who typically are trained in a specialized area, but are expected to be knowledgeable and current in many areas, especially at the County Agricultural Agent level. Liberal opportunities for in-service training should be made available to CES personnel. This additional training would allow state specialists to become more familiar with the expertise and concerns of other specialists, and thereby provide valuable training for county staff. Development of printed material in form of fact sheets, circulars and bulletins prepared from the available body of information and experiences associated with the grazing land resource would serve as educational material for CES personnel, as well as other constituencies.

Agricultural producers, the second constituency, usually are interested principally in increasing profitability of their enterprises. However, the producers facing ever decreasing profit margins often are skeptical and hesitant in accepting and implementing new and different methods of production. Operational-sized demonstrations of the most current methodologies, in concert with well kept records showing all inputs and outputs, often aid in reducing the skepticism associated with new technology.

Although they have been used successfully for many years by CES personnel, demonstrations alone cannot incorporate all the biological, social, and economic factors that affect grazing land resource management on each individual ranch, farm or forest. Therefore, to obtain optimal results, information and techniques portrayed in demonstrations must be adjusted to each situation through individual producer consultations. These consultations will aid CES personnel in gaining the trust and respect of the producers in their districts.

Computer software is being designed to assist the decisionmaking process in grazing land resource management. These programs will allow individual producers to work solely with the physical, biological, and financial attributes of their enterprise to predict responses of the resource to management alternatives. Programs developed by Land-Grant Universities are available for CES personnel to use in assisting producers with their application.

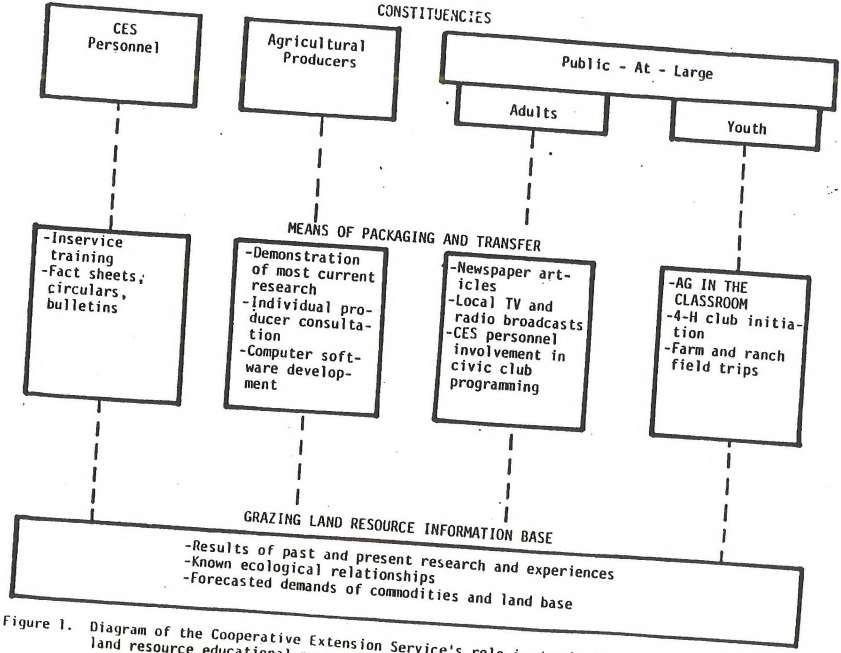


Figure 1. Diagram of the Cooperative Extension Service's role in developing a southern grazing land resource educational program.

The third major constituency to which the CES is responsible is the public-at-large. Adults and youth of this group need to be educated, or re-educated, as to the value of our grazing land resource in both economic and non-economic aspects and about current management activities being practiced on the landscape. Mass media avenues, such as newspaper articles and radio and television programs, can be used to educate adults. However, CES personnel must focus on formatting the information in a style appropriate to the targeted the targeted outlet. Also, CES personnel should develop grazing land resource-related programs for adult civic groups in the non-rural areas.

Today's youth, though farther removed from the farm than ever before, has a strong interest in natural resources as indicated by current 4-H program enrollment in the United States. These youth people need to have a better understanding of the dependence of agriculture on natural resources, and of the tradeoffs to agricultural and non-agricultural uses of these resources. CES personnel can assist in this education process by contributing to the USDA-backed AG IN THE CLASSROOM program and to 4-H programming. In addition, CES personnel could arrange and conduct field trips for non-rural youth so that these youth have the opportunity to observe, first-hand, the various management practices used on the grazing land resource.

Conclusion

The Cooperative Extension Service (CES), working through Land-Grant Universities, has the personnel structure on which to build a strong grazing land resource program in the Southeast United States presently in place. However, there is a need for increased staffing in the fields of wildlife, fisheries, range, and natural resources. The role of the CES in developing this program is that of educating the agricultural producers and the general public as to the best means of managing the grazing land resource for the benefit of all concerned.

Public Lands Council
Suite 300
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 347-5355

National Cattlemen's Association
P.O. Box 3469
(5420 South Quebec Street)
Englewood, Colorado 80155
(303) 694-0305

National Wool Growers Association
Suite 415
8 East Broadway
Salt Lake City, Utah 84111
(801) 363-4483

Statement

of

Ronald A. Michieli

before the

Secretary of The Interior's

National Public Lands Advisory Council

May 15, 1986

Gillette, Wyoming

Mr. Chairman, and members of the Council, in behalf of The National Cattlemen's Association, The Public Lands Council and The National Wool Growers Association, I am pleased to share with you a number of concerns of interest to the western livestock industry.

The forum you have established offers the public, a great opportunity to communicate with The Bureau and to maintain and foster a spirit of cooperation. Cooperation is a vital component of a shared responsibility, especially when you are in a landlord/tennant relationship.

It is the industry's view that the President's decision to issue an Executive Order was a wise and prudent decision. The President's decision was based on the reality of the economic chaos that surrounds American agriculture today. Secondly, his decision was timely in that it allows all parties a chance to breath and think this issue through.

We commend the President, the Secretary and those associated in making that decision.

Today, I have been asked to focus on issues which are in need of resolution and if implemented properly, could do much to reduce conflict.

1. Range improvements: the livestock industry would like to call attention to those range improvements constructed on the federal land at the expense of the stockmen alone, or in cooperation with others or by cooperative agreement with the agency. These improvements take many forms; among them are fences, corrals, water retention or water distribution systems, seeding and re-vegetation, clearance of non-palatable brush and noxious weeds, provision for access, erosion control works, etc.

The permittee has never hesitated to expend his private capital resources to improve the federal range or other permitted land, even though, so frequently, substantial benefits and increased land values accrued to the government as landowner and to the public which may be using the land con-currently. We believe the following principles should apply:

a) By agreement with the livestock industry, reasonable standards and criteria governing design and construction if improvements should be established.

b) In the event the permittee is deprived of further use of an improvement by the act of the government (by withdrawal or disposal), the appraised value to the rancher at the time of loss to him of the improvement should be due and payable to him. No withdrawal or disposal involving the area on which the improvement is located should be effective until appropriate arrangements for such compensation have been completed.

c) Where the improvement results in increased grazing capacity on the range, the new or additional capacity should be allocated to the permittee.

d) The government should hold the landowner harmless for all damages or injuries resulting to members of the public for improvements that are designed and maintained for multiple-use and public benefit.

e) Cooperative agreements for range improvements should provide for negotiated limits to maintenance costs particulary where the value of the public A.U.M. may exceed the benefit.

f) Project specifications and agency policys should be addendums to all cooperative agreements for range improvements.

g) Provisions should be included in cooperative agreements to ensure that disputes arising over interpretation be resolved by consultation with the Grazing Advisory Board.

2. Range Management: There are many sound and logical reasons why the continued and even expanded use of the federal range by domestic livestock are in the national interest. These reasons support our position that the western livestock industry should be encouraged to utilize the federal range resources, and that there be provided the opportunity for the industry to make substantial use of its energies and talents, now and over the long term, to improve and enhance the grazing capacity and other values of these lands.

a) We know, for one thing, that good range management requires proper grazing by livestock. Unused or inadequately used forage may create disease and fire hazards with resultant damage to the land surface and to the watershed.

b) Domestic livestock grazing is compatible with wildlife grazing. In fact it is the protection and care given wildlife by the stockman and the availability of his forage and his water on the public and private lands which has resulted in the increased numbers of big game and other wildlife. The role of the rancher as a wildlife conservationist has far too long gone unrecognized, unsung and unrewarded.

Therefore, we believe that every management option should be available to enhance these opportunities, including but not limited to the Cooperative Management Agreements (CMA's). The CMA program, under proper authorizations, can and will meet the needs of site specific range management enhancement as have the coordinated resource management and experimental stewardship programs.

3. Grazing Advisory Boards: This issue may perhaps be resolved by Administrative action prior to this meeting. However, I want to stress the value of Grazing Advisory Boards.

Proper management of forage lands and other grasslands areas cannot be done fr Washington or from a State headquarters office. Neither can an inexperienced range manager, with a million or more acres to supervise and new to the area, as so frequently happens, do the intensive management job so necessary to rebuild and improve the federal areas within his jurisdiction.

Proper management of such lands, particularly in the context of growing multiple use demands upon them, requires the presence and constant supervision of a person who lives close to the land; a person daily concerned with developments on the land. Such a steward, close to the land, is deeply concerned with the protection, wise use and proper management of its many resources. We urge, therefore, that the stockman must be equitably represented in any local board or commission to manage and develop, at the local level, these federal lands, where livestock grazing represents one of the land uses, under criteria and for the purposes set out by the particular state.

4. Wilderness: Current Bureau policy for management of domestic livestock grazing in wilderness study areas should become applicable to areas that will be eventually designated as wilderness.

The Department should not recommend for wilderness designation any area that has not had the legal question of reserved water rights resolved.

With the intensification of federal management and use of the government land and waters, there has come to the fore-front in recent years, in a number of court cases, the so-called Water Reservation Doctrine. The courts have ruled in effect that on land reserved from the public domain, such as the national Forests, there was also reserved to the Government the right to the use of the associated water necessary to the purposes of the reservation.

The Forest Service holds, as we understand it, that under the Reservation Doctrine it has a prior right and may appropriate (or confiscate) water on its lands needed for any of the purposes for which it administers the National Forests, notwithstanding that private rights to the beneficial use of these waters may have been acquired by farmers, ranchers or even municipalities. True, the Forest Service apparently does not claim waters allocated non-federal use under state law prior to the date of the Reservation, that is before the particular forest was established. But this is little consolation, since most of the forests involved were established between 1905 and 1920, and a considerable portion of the jeopardized waters were acquired in subsequent years.

The integrity of the state water laws, and right thereunder, are in danger; and the continued use of these private waters coming from such federally-reserved areas,

is no longer dependable or certain. Nevertheless, it is important to the development and use of water in the western states and to the many beneficial purposes and uses to which water may be applied, that state water laws be recognized fully and be compiled with all agencies of the federal government. The additional cost to the federal government in terms of the over-all cost of the federal project for which the water is needed, would be relatively small compared to the costs to the rancher or farmer losing the water rights, in terms of his business enterprise. In many cases, such water loss would necessarily lead to total or substantial reduction or elimination of his enterprise with drastic results to him and to the dependent community.

The holder of water right allocated under state law is entitled to compensation for the waters taken away or lost to him regardless of when those rights were created.

Accordingly, we recommend that title to all waters arising on or flowing over federal lands, be transferred to the states; and that the administration and allocation of these waters for beneficial private and public purposes be permissible under state law.

5. Riparian Area Management: Its time to quit pointing fingers and apply common sense. Riparian subjects do not have to be controversial.

The federal land management agencies have sufficient authority under existing laws to carry out riparian area management programs where improvement and restoration are deemed necessary consistent with the land use planning process.

This may sound like a rather gutsy statement from a bunch of livestock operators. On the contrary, it is a rational statement based on logic and understanding of what a riparian area is and is not.

We are pleased to provide the Bureau with a copy of the proceedings of a workshop conducted on this important subject. The recommendations and solutions to riparian area management contained therein provided by competent researchers should be a useful resource document for rangeland management of riparian areas.

In conclusion, the western livestock industry pledges its support to work in harmony with the Bureau, other land management agencies and entities of local state and federal government to enhance the multiple-use benefits of public rangelands.

PRESIDENT
JAMES MAGAGNA
P.O. BOX 488
ROCK SPRINGS, WY 82902

EXECUTIVE DIRECTOR
CAROLYN PASENEAUX, CASPER

FIRST VICE PRESIDENT
LEE COFFMAN, CASPER

VICE PRESIDENTS
ROBERT GRIEVE, SAVERY
MERLE HAMILTON, HYATTVILLE
BILL TALIAFERRO, ROCK SPRING
LLOYD SNIDER, POWELL

WYOMING WOOL GROWERS ASSOCIATION

811 N. GLENN ROAD • P.O. BOX 115 • PHONE 307-265-5250 • CASPER, WYOMING 826

May 15, 1986

THE COST OF HAVING FUN

My name is Carolyn Paseneaux. I am here today representing the Wyoming Wool Growers Association and the Wyoming Public Lands Council. Both organizations wish to thank you for this opportunity to address the topic of access to public and private lands.

Central to the topic of access is impact. Impact on the land resource, on the water resource, on the recreationist and on the landowner. Everything is connected and finding a balance in which access is allowed, land and water resources are protected, and private landowners rights are respected is an ultimate goal to be pursued. Managing for multiple use is difficult because it is political.

The Agencies place limiting parameters on grazing and logging, and should do the same with recreation. The public has an everincreasing awareness of public lands in the 11 Western states. With increased knowledge of the land's potential for diversified recreation comes an increasing demand for use, and subsequently, a growing number of conflicts over access.

In order to find equilibrium there must initially be a measure of the demand for the type of recreational opportunity dependent upon access. The number of hunter access complaints is not a measure of supply and demand. It only serves to detail a specific access

problem. Similarly, the number of public land acres lacking access is not a measure of the problem. There are, conversely, many thousands of acres of private lands to which access is freely given. We must quantify the desire for additional access, identify geographical areas where it is needed, and specify the type of use and season for which it is desired.

Where a desire for greater access has been identified, the private landowner must objectively review his/her own multiple use land management objectives. In recent times, these decisions are being increasingly influenced by financial considerations. The landowner realizes that every use of the land is, to some degree, a consumptive use. Public access, like grazing, becomes a liability to the land if not properly managed and controlled. A rancher must weigh past experiences, his/her own management capabilities, liability, conflicts with other uses, potential for abuse, etc. against potential benefit. The answer will often fall somewhere in between no access and complete unrestricted access, identifying and distributing the use of the land so all areas are utilized.

What are the potential benefits to a private landowner from allowing greater access to his/her land, or across the land to adjacent public lands? In the case of some unfenced lands, it may simply be less of a hassle to allow unrestricted access than to attempt to control use. In a few other cases, the public relations motive may be adequate. Whether or not an actual fee is charged, recreational access is a consumptive use of the land, and the landowner's right to a reasonable return must be recognized. Tourism, wildlife and recreation are the second largest industry in the state of Wyoming. Th

Wyoming BLM calculates the value of an antelope hunter day at $85.56; that of a general recreation day at $44.24. A significant proportion of this benefit should accrue to the landowner who provides this opportunity, again balancing the "who pays" with "who benefits."

Some time has been spent on discussing private landowner management decisions because a better understanding of the landowner perspective by federal and state agencies must preceed cooperation in meeting recreational desires. The emphasis at the federal level, particularly with the land managing agencies, must shift from attempts to force access to innovative ways of encouraging access which is mutually beneficial to the public lands, the private landowner, and the recreating public. The issue of of access across private lands to public lands is currently analyzed by the agencies primarily in terms of acquisitions, land exchanges, perpetual exclusive easements and even condemnation. These are not the tools with which we can cooperatively increase recreational opportunities.

A major point of contention with recreationists is the current grazing fee. It is seen as a subsidy and a deficit expense the same as below cost timber sales. Recreational use on public lands also poses a form of deficit expense for the agencies. Some look at the issue of operational deficit expense with double-standard eyes. Many people make the distinction between programs for the "public" benefit and those for "private" benefit. In the first instance, some view the expense as a return of their tax dollar, while in the latter, if a benefit or profit accrues from the government expense, it is viewed as a subsidy. It is not an either/or situation as it first might appear. Consider the public benefit in terms of

America's cheap food policy and economic stability. Balancing the public's desire for recreational opportunities and the need for economic stability is a difficult task; however, when it means a choice between a rancher's livelihood and hunting and fishing it becomes an easy choice for him.

The public land grazing permit is not an appropriate place to address the issue of access which is not associated with grazing administration. Section 402 of FLPMA (Federal Land Policy Management Act) should be clairified by specifying that the terms and conditions which the Secretary may place on a grazing permit must relate to the public land grazaing activity. Conversely, the grazing permittee should receive no benefit in grazing terms, conditions or fees based upon his policy of allowing public access to private lands.

Any change in federal policy should focus on providing greater flexibility to local land managers to enter into limited, non-permanent cooperative agreements with private landowners designed to enhance recreational opportunities within a block of private-public lands. In some instances, this may involve controlling or limiting access to both public and private lands to a specified season, type of recreation, or number of users. Recreation management may be handled by the public agency or by the private landholder. A fee may be charged for the use of the lands within the block with any amount above the costs of administration being shared by both the agency and the landowner. Media releases would emphasize the cooperative aspect of the project.

The Wyoming Futures Project has looked at our troubled economy and has outlined the opportunities and challanges facing the state.

The document "Building a Stronger Wyoming" states that:

> Success in the future will require increased problem-solving capability in the public and private sectors. And all this takes people working together in a state with a history of individual effort. However, Wyoming is almost alone among the states in having a population small enough and well enough educated to make cooperative change a real possibility.

It does not appear that any specific federal legislation would be needed to authorize such a cooperative stewardship program involving flexibility. Specific federal guidelines could be developed to provide the framework, being more instructive than regulative. ~~Such~~ Guidelines could best be developed through experimental stewardship programs such as those now in operation within the state. Local groups would meet and wrestle with the best management decisions for ~~that~~ a given area, precluding judicial or political decision-making on recreational access. Access need not be a conflict situation. Access can be an opportunity.

RANCHERS ENERGY CORPORATION

STOCKMENS BANK TOWER · SUITE 700
P.O. BOX 1629, GILLETTE, WY 82716
(307) 682-9339

May 15, 1986

To: National Public Lands Advisory Council

FROM: Charles J. Bennett
Coal Projects Coordinator
Ranchers Energy Corporation
Stockmens Bank Tower, Suite 700
P. O. Box 1629
Gillette, Wyoming 82716

RE: Federal Coal Management Program.

Ranchers Energy Corporation and its subsidiaries, Eldorado Exploration, Inc. and Neil Butte Company, are pleased to have this opportunity to comment on aspects of the Federal Coal Management Program that affect our present and future activities in the coal market in the Powder River Basin.

1. Federal Coal Leasing. The middle-term reserve marketplace has become uncertain. When this situation is combined with the renewed increase of American dependence on imported petroleum and the known vulnerability of this energy source, we believe that it is good public policy to maintain the Federal Coal Management Program in an active status. The difficulties that emerged during the 1970's and continued into the early 1980's were at least partially the product of the absence of proven policy. Today we have a program that, while imperfect, is based on experience. To jeopardize that program because of low-level current demand belies the very basis for having the program and will lead to a renewal of the chaos that occurred during the 1970's and early 1980's. Companies like Neil Butte, which are actively developing production capability to meet future demands, seek and support a continued active public-private partnership in Powder River Basin coal development.

   We urge the Advisory Council to strongly support the maintenance of activity planning and tract delineation on a conservative level so that when the need for additional coal becomes manifest it can be brought into the market in an orderly and reasoned manner. We believe that this is both good public policy and good national energy policy.

2. Federal Coal Royalties. Given the difficult competitive situation in the western coal market we believe that the 12.5% Federal coal royalty policy should be reviewed and reevaluated.

One major change should be considered immediately. This approach, which has been advanced by the Wyoming Mining Association and others, is to change the basis for calculation of the royalty to 12.5% of the price received by the mine, thus reducing the effective level of the royalty from something over 20% to a true 12.5%. This approach was also recommended by the Linowes Commission. (Recommendation VII-5).

Put simply, producers of coal from "new" or adjusted Federal leases are now being taxed on taxes paid, not just coal produced. That is neither equitable nor sound policy.

3. Due Diligence Requirements of the Federal Coal Leasing Amendments Act. As the holder of a post-FCLAA Federal coal lease we are very concerned with the implications of Section 7. Despite a difficult and highly competitive coal market, Neil Butte Company, a subsidiary of Ranchers Energy, has proceeded to plan and permit mining on the Keeline Federal Coal lease. To date we have invested substantially in meeting Federal and state permitting requirements, and we expect to have the property permitted this year. Despite our diligent efforts the market is very difficult and we are not certain that we will be able to sell enough coal at a price sufficient to support construction of the mine within the time frame required by FCLAA. Thus we may be faced with the prospect of having invested millions in a project that we cannot bring to fruition within the alloted time, despite diligent efforts to do so. Alternatively, we may be able to "fire sale" enough coal on the spot market to get into production at the required level within the required time, but we may not be able to subsequently sustain that level of production.

Ranchers Energy does not dispute the principle of due diligence as conceived in FCLAA. However, the world energy marketplace is volatile and cyclical, and is likely to remain so in the future, at least for a generation. Because of this market volatility, combined with the need to have a reliable national energy policy that can respond to changes in supply and demand, we strongly recommend that the Advisory Council support Congressional modification of the diligence requirements that are now mandatory under FCLAA, and that a more flexible and responsive policy be put in place to provide a more adaptable energy supply market in the future.

Ranchers Energy Corporation appreciates your consideration of its comments on the Federal Coal Management Program and related policies.

C J Kennett 5/15/86

PUBLIC LANDS COUNCIL

"A Western Livestock Public Land User Organization"

Legislative Office:
RONALD A. MICHIELI
Executive Director
Suite 300
1301 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 347-5355

Administrative Office:
DAVID G. RICE, JR.
Secretary-Treasurer
220 Livestock Exchange Bldg.
Denver, CO 80216
(303) 296-1112

Officers:
BILL ROSS
President
Jordan Valley, OR 97910
(503) 586-2380
BUD EPPERS
Vice President
OSR Box 1139
Roswell, NM 88201
(505) 623-6103
DAVID G. RICE, JR.
Secretary-Treasurer
Administrative Ofc. Address

Executive Committee:
President
BILL ROSS
Vice President
BUD EPPERS
Past Presidents
HERB METZGER
TYE S. MOORE
ROB FLOURNOY
DEAN RHOADS
NICK TIFFOS
JOHN WEBER
Member at Large
GERALD TEWS
National Cattlemen's Association
JAMES COURTNEY
National Wool Growers Association
NORM PALM
Association of National Grasslands
BRYCE BOWMAN

Member States:
Arizona
California
Colorado
Idaho
Montana
Nevada
New Mexico
North Dakota
Oregon
South Dakota
Utah
Washington
Wyoming

Statement of

Bill Ross, President

National Public Lands Council

before the

Secretary of Interior's

National Public Lands Advisory Council

May 15, 1986

Gillette, Wyoming

Mr. Chairman and members of The Secretary's Advisory Council, I am pleased to have been afforded this opportunity to appear before you today to set forth the Public Lands Councils position on The Presidents Commission on American Outdoors.

The Public Lands Council was established in 1968 to represent the interests of ranchers who hold leases and permits to graze livestock on the public lands in the Western states.

The Council is dedicated to the principle of sound management of the federal lands for grazing and other multiple use purposes.

Membership of the Council includes both individual livestockmen and organized sheep and cattle raisers in 13 states: Arizona, California, Colorado, Idaho, Montana, Oregon, Nevada, New Mexico, North Dakota, South Dakota, Utah, Washington and Wyoming.

I want to preface my remarks today with a little historical note. History discloses that the public lands or public domain came into the possession of the United States by a variety of means, including grants from the original colonies, by conquest and force of arms, and by purchase from European sovereigns. To put these vast territories to effective use, our founding fathers of this country established in the New World a land-ownership concept that was different from the old world concept. Private ownership of land and resources was the key factor which led to the remarkable economic growth of our nation in the 19th century and the rapid spread of our population away from the Atlantic seaboard, across the broad plains and prairies of the Midwest, and eventually to the Pacific shores. Congress, through numerous laws passed in that century and since, made possible the establishment of a strong and widespread agricultural economy, including a substantial livestock industry utilizing the grassland of the west and southwest areas; it encouraged prospectors to find and bring forth the mineral resources and wealth hidden in the public lands; and by means of land grants (alternate sections) to railroad companies, Congress provided for and stimulated the private capital financing needed to construct the railroad systems which united the peoples and broad lands of the west and the east into one nation. Large grants to the states were also made.

Undoubtedly the best of our public lands have gone into private ownership. The lands remaining in national ownership, extensive though they are in acreage, are a residue of secondary quality, but important to our future nevertheless. The users of federal livestock ranges, the producers of food and fiber so vital to national health and well-being, are vitally interested in the wise use, management, conservation an

administration of the federal land and its resources, now and for the future. These federally-owned lands, comprising almost 60% of the total land area of our western states, contain vast stands of a renewable resources, grass and forage, and potentially adequate water sources.

To the benefit of the general public there is a direct relationship between the ready availability and use under fair and reasonable conditions of the forage and water resources, and the economic stability and welfare of the individual livestock producer, the livestock industry, and the many communities dependent upon this industry. Range livestock operators, particularly in the west, are dependent upon the continuing availablity and use of federal grazing lands to supply feed and water during those periods when these are not readily available on the private lands. The utilization by domestic livestock of the native forage growing on the federal lands and its conversion into food and fiber, results in the creation of original wealth, a local, state and national benefit. The stockman's revenue from this production is also the source of the taxes he pays to the state and local community; the payment of his business debts, and the means for his purchases, so vital to the local communities.

Grazing use of these federal lands has proven to be the one true economic means of harvesting and converting the forage on these lands, in conjunction with private and state lands, to form and economic year-round livestock operation. The resulting end products, beef, lamb and wool, contribute to the nation's wealth as well as its health; these highly valuable and marketable products effectively meet the demands of the American consumer.

Federal ownership of such large amounts of land and their use (and non-use) under the numerous public land laws, understandably has developed issues, problems and interrlationships which are complex but need to be resolved. We present here some of these factors with our comments and views theron.

1. Federal lands - Local management and control

a) We favor the principle that public lands must be managed on the local level by persons very close to the land. The Taylor Act and other federal laws have established the successful policy of local users and other interested parties participating in the development, management and supervision of federal lands.

b) Congress should expand the principle of local management. It should, by law, establish local management boards or commissions, and it should provide for them the criteria to protect the public lands. These boards or commissions should have

statutory authority as the controlling body at the local level for the use, management, and development of the bulk of the public lands now administered by the Forest Service and the Bureau of Land Management, for the purposes and under guidelines set out by Congress.

c) Proper management of forage lands and other grasslands areas cannot be done from Washington or from a State headquarters office. Neither can an inexperienced range manager, with a million or more acres to supervise and new to the area, as so frequently happens, do the intensive management job so necessary to rebuild and improve the federal areas within his jurisdiction.

d) Proper management of such lands, particularly in the context of growing multiple use demands upon them, requires the presence and constant supervision of a person who lives close to the land; a person daily concerned with developments on the land. The rancher or livestock producer, for example, is vitally concerned with the use of these specific lands in order to make a living for his family to raise food and fiber, to pay his taxes and to make this a better place to live now and for the future. Such a person, close to the land, is deeply concerned with the protection, wise use and proper management of its many resources. We urge, therefore, that the stockman must be equitably represented in any local board or commission to manage and develop at the local level, these federal lands, where livestock grazing represents one of the land uses, under criteria and for the purposes set out by the particular statute.

2. Multiple Use - We support the principle of multiple use of the public land and its resources. From the earliest days of the Forest Service and under the Taylor Act, statutory provision has been made for multiple uses. Thus, timber production and watershed improvement are basis in the forests; the Taylor Act specifically refers to the hunting and fishing to mining and prospecting, and to the availability of the land for right of way easement purposes.

Important as it is to leave the public lands available for recreation and other multiple uses, we believe that the production of adequate food and fiber and the maintenance of the economic stability of the dependent local communities is of even greater importance. We urge that wherever there is a possible conflict between a new multiple use and livestock grazing, or a single use withdrawal is contemplated which would eliminate grazing, full consideration must be given to the primacy of food production as a matter of national concern.

a) Wildlife and Big Game. The rancher has no basic quarrel or complaint about the growing numbers of big game animals and other wildlife in so many areas of the

federal lands. The fact is, the rancher is frequently responsible for much of the increase because he provides directly a substantial portion of the forage and water needs of these animals both from federal land and from his own private sources. We believe, however, that wildlife numbers should be kept in reasonable check, consistent with the food available for their sustenance. Undue increases in numbers should not be made at the expense of forage needed for domestic livestock; and the proper authorities should be constantly on the alert to remove excess numbers, in the hunting season or otherwise, to the extent necessary so that suffering and hunger among the remainder would be kept to a minimum

b) Recreation. We recognize that recreation use of public lands by the general public is an important and growing aspect of multiple use. We are aware that the number of recreationists and the frequency of recreational use is doubling and redoubling almost in geometric proportions.

Necessary and desirable as recreation is, yet it is not without its negative aspects. Mere numbers alone are posing growing problems of providing for sanitation facilities and litter removal; vandalism and damage to private property as well as government property occurs with greater frequency and at larger cost; some of the new recreation "sports", particularly motor vehicles, are creating problems of erosion and topsoil damage. We believe it is governmental responsibility to provide the necessary safeguards, through adequate enforcement of laws and regulations and through provision of special facilities in suitable areas, to keep these hazards at a minimum. It is unfair to expect the permittee to be the enforcement arm for the bureau, or to sustain and suffer his damages in silence or without recompense.

c) Access. We recognize that the public has certain definite rights to come upon and to cross the public lands. We are also aware that in far too many areas there are no suitable roads or other means of public access to reach the isolated blocks of public lands, and that crossing the private land was the only reasonable means of ingress and egress for these areas.

In a quieter era and when people were more considerate than they seemingly are today, the rancher, like other landowners, rarely interfered with a person's use of the private lands as a means of reaching the public lands. Today, because of increasing numbers and decreasing manners, free and unrestricted crossing over private lands is imposing new problems and hazards for the rancher and his livestock and property. In connection with the foregoing, we recommend the following:

1) Whenever the agency by withdrawal, classification or otherwise, sets aside a particular area of federal land for a single use or for a special recreational use

that will induce more people to come into and use the area. It is the agency's responsibility to provide the public user with a reasonable means of access into the area. Whenever possible, the access should be across the federal lands, clearly delenlated as a roadway of access point. Where such direct access is not feasible, the agency must make suitable arrangements with the private landowners nearby who can provide such access across their lands. If the access entails cost to the landowner, we believe the landowner is entitled to compensation because of the added burdens and hazards imposed upon him. Where the provision of public ingress and egress across the private lands is involuntary or is forced upon the landowner the government should hold the landowner harmless for all damages or injuries resulting to members of the public, and arising directly or indirectly from such use.

2) Referring to the expanding recreational use, we believe the time has come to encourage the livestock permittee who wishes to do so, to provide facilities and services to recreationists involving the private and the public lands as a unit, and to charge the user a reasonable fee for the same. Congress already has a policy of assisting farmers and ranchers who wish to supplement their incomes by providing recreational facilities and services for the public on their private lands. Our suggestion is a reasonable extension of that policy.

In conclusion, reasonable demands for expanded public recreation opportunities do exist. Such demands need not conflict with recognized multiple-use objectives. Further, such opportunities should be considered in light of enhancing the economic return to the rancher to foster long term economic stability both for the well being of local communities and the ranching industry.

Thank you for your consideration in hearing the concerns of The National Public Lands Council.

Wyoming Heritage Society

139 West 2nd, Suite 2-B
Casper, Wyoming 82601
307-265-5462

G COMMITTEE
Baker, Dubois
Barlow, Jr., Casper
hop, Cheyenne
s Brown, Casper
, Cody
Collums, Casper
Cooper, Casper
anos, Mountain View
itner, Greybull
Fuller, Parkman
Gosman, Casper
Hathaway, Cheyenne
ay, Buffalo Springs
ky, Cheyenne
nnis Riverton
Kidd, Casper
ide, Cheyenne
Lisco, Casper
in, Casper
, Jackson
Kaycee
Morton, Casper
olaysen, Casper
Nielson, Cody
nerlee, Buffalo
k, Riverton
Perkins, Casper
liff, Casper
rts, Cody
ey, Cheyenne
lsbury, Savery
Cheyenne
Smith, Thermopolis
un, Rawlins
on, Mills
n, Gillette
True, Jr., Casper
Casper

DIRECTOR
wn

COMMENTS TO BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
May 15, 1986
Gillette, Wyoming

Thank you for providing the opportunity to offer comments today. We appreciate your meeting in Wyoming, and know you will benefit in your accelerated course on our state's public lands issues.

My name is Bobbi Brown. I am assistant director of the Wyoming Heritage Society, a public interest group with over 1,200 members. We are an advocacy group for the development of Wyoming's basic industries--agriculture, mining, oil and gas, timber, and recreation.

Because we are a resource state, and since over half of Wyoming is federally owned, the state's economy is inexorably tied to the public lands. Decisions about public land use translates directly into the economic well-being of our communities and our state.

To offer a perspective:

*49.293% of Wyoming is federally owned. That is nearly 31 million acres, the equivalent of the combined states of Vermont, New Hampshire, Connecticut, Daleware, Massachusetts, Maryland, and New Jersey.

*Wyoming ranks sixth in the amount of federally owned land, along with Alaska (88%), Nevada (85%), Idaho (65%), Utah (63%), and Oregon (52%)

*Eighteen separate federal entities administer varying amounts of land in Wyoming. This ranges from the Bureau of Land Management at 18,417,149 acres, to the Forest Service at 9,254,297.4 acres, and the National Park Service at 2,408,895.2 acres.

*Wyoming is home to all or part of nine national forests, the Thunder Basin National Grassland, a major Indian reservation, two national parks, national monuments, historic sites, recreation areas, and wildlife refuges.

Perspective continued:
*Estimated use of Wyoming's public lands
-52% of all coal production
-59% of all grazing
-58% of all crude oil production
-39% of all natural gas production
-90% of all timber harvested
-95% of tourists visit national parks or areas

The minerals industry accounts for 70% of Wyoming's assessed valuation. An estimated two-thirds of the minerals in Wyoming are owned by the federal government.

Public lands resources contribute a considerable amount to Wyoming's economy. In addition to over $820 million in tax revenues, the oil and gas industry directly employs approximately 25,000 people with an annual payroll of over $675 million. 1984 figures show that mining generates approximately $245 million in taxes, employs over 10,000, with a payroll of $314 million. Agriculture employed 13,415, with a payroll of $145 million, and $17 million in tax revenues in 1984.

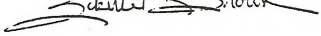
Given these public lands facts, the Wyoming Heritage Society would encourage your consideration of the following suggestions:

1. Federal lands agencies consider the impact of planning decisions on local and state economies. An automatic part of planning must be a study of the effect on these economies. (ie. Interchange)

2. Federal management laws be changed to provide for more substantive participation by state and local authorities. Current planning laws offer input, not necessarily influence.

3. Any change in public land status be compensated accordingly. Public lands are Wyoming's "bread and butter." When land is taken from productive use, its effect is felt throughout Wyoming's economy to varying degrees.

4. Multiple use of public land be vigorously pursued. Users have proven themselves effective stewards of the land, through reclamation and conservation, while providing economic benefit to communities, states, and the federal government.



Comments
by
Ed Swartz
to the
National Public Lands Advisory Council
May 15, 1986

Gentlemen: My name is Ed Swartz. I own land over parts of Wildcat Creek P.R.L.A. Area.

I will be brief. I am extremely angry. On April 1, 1986, I addressed the Federal-State Coal Advisory Board Meeting in Denver. Mr. Burford was present. I told them that Consolidation Coal Company had drilled the great majority of their test holes illegally. They then submitted the illegally obtained data. When questioned about the time the data was obtained, they issued sworn statements to the BLM that the coal data was obtained within the terms of their permit. All this information is in the BLM files. This information on illegal drilling should cause the Wildcat P.R.L.A. application to be rejected. Why hasn't this been done? Why can't I get anyone to act on this information? [redacted] Please examine the matter, find out who is stonewalling my efforts, and let's get rid of the people responsible, as I'm sick and tired of the Bureau of Land Management's inaction, and the honest, reputable people among you should feel bad about letting this matter continue any longer, also.

Thank You,

Ed Swartz

Ed Swartz

Statement

to

National Public Lands Advisory Council

by

Robert L Wright

at

Gillette Wyoming

May 15 1986

I am Robert L. Wright, a rancher, and first vice-president of the Wyoming Stock Growers Association, a professional association of approximately 1700 ranchers through out the state of Wyo. I am here today both as a spokesman for the Stock Growers and as an individual rancher. I am a third generation rancher in this area: my Granddad started ranching in the Buffalo, Wyo. area in the early 1890's, and I have had about forty years of fairly successful experience in operating and managing grass lands in a semi-desert environment.

During the years since 1947 I have had occasion to lease and manage land from other private individuals, the State of Wyo. and the Federal Govt. These Federal leases have included most of the Federal land management agencies from the Taylor Grazing Act lands and Soil Conservation Service Grazing Associations to the present BLM, National Grasslands and Forest Service permits. In short, I have had first hand experience through out these last forty years with a full spectrum of Federal Public Land management agencies. A 180 degree change of philosophy has occurred--from the generally 'laissez faire' attitude of the Taylor GrazingAct era to the detailed requirements of many present day BLM and Forest Service permits. Most of the changes in policy and requirements from the Federal agencies seem to be made to accomodate the bureaucratic growth rather than for any benefit to the leasee.. One exception, the Bureau of Land Management does have a good surface damage mitigation program in effect in many of the "oil patch" areas of the state. One of the beneficial results of this program is to give the private landowner added clout when dealing with large energy companies. we can threaten to call in the "Feds" if we can't negotiate surface damage mitigation directly with the mineral lease holders. This alternative improves our bargaining positions considerably. BLM people do need to be more sensitive to the rights of surface land owners, in split estate--federal minerals, private surface--situations. There is more than one way to alleviate or repair damages done to the surface of our land. The person who owns that surface is entitled to experiment and to use methods that others may not have thought about.

A matter of increasing concern to those of us who like to see all our lands, public and private, used but notabused is off road vehicle travel. One at a time, a dirt bike, a Kawasaki three or four wheeler, a 4x4 pick-up or a snow machine does not do a great deal of damage to the land. But one rain drop does not cause a flood. A small group , 15 or 20 members of an ORV club can do more damage to grasslands on one week-end than the average landowner or leasee will do in 20 years. The causes of the problem appear two-fold, a lack of awareness on the part of the public, including many in our land managing agencies, of the damage done to our land when the bottom 20% to 40% of the vegetative cover is removed, and a lack of specifically designated areas and trails for ORV use. It has been proven numerous times that when you remove that last 20% of plant growth that protrudes above the surface of the ground, you severely stunt or kill most plants. But how many of you realize that under dry conditions--the norm here in the West--that is exactly what happens when a rubber tired vehicle, under power, crosses over grass and small stem shrubs of the various kinds found here in the West?

Are we to encourage these users to ride side-by-side and wipe out hundreds of acres per swath, or follow one behind the other on a trail that will then take 20 years to heal--if it heals at all? What do we do with the fellow who delights in throwing up rooster tails of dirt as he tries to ram his charger up a near perpendicular hill side or cuts swooping curves and figure eights across the surface of the area?

We, and they, must accept the fact that our land cannot stand the abuse that can be dished out at the whim of every ORV owner. We can and must limit this use of our public lands to carefully selected areas--areas where we can write off other uses of the land such as erosion control, water shed protection etc. in exchange for Off Road Vehicle playgrounds. For the ORV owner who wishes to use his vehicles capabilities to get off the paved highways and get a different view of our land, we need to lay out and strictly enforce the use of designated trails through our larger blocks of public lands.

In short, if our grandchildren are going to have any meaningful public land enjoyment, we all must conduct the vast majority of our outdoor recreation either afoot or on horseback.

To facilitate the management effort that will be required to cope with the ORV explosion of use and abuse, and to hold the line on government spending, I suggest that the present grazing lease holders or permittees be designated the managers of all small tracts, 5 sections or less, of Federal lands that they use. This wil "free-up" present man power and money to handle the ORV problems. Other benefits include aleviating many access problems to small tracts, protecting these samall tracts from over use by all of us, and making public land mapping easier and more accurate.

Finally I want to comment on the proposed "land swap" between the BLM and the Forest Service. We are being asked to approve a plan that would establish both the Forest Serviceand the BLM as virtual dictators in their respective areas in exchange for minimal cost savings at best. The public good will be much better served under the present land management arrangement because of one basic reason--competition. At present, with both the BLM and the Forest Service serving the same general areas we have a healthy rivalry between these two agencies, most of the time, to see who can do the better job--whether is is managing natural resources or people or both. With these arencies competing with each other we are assured, generally, of having at least two different view points and possible solutions brought to bear on essentially similar problems. For example, the Forest Service in the Black Hills National Forest has done a commendable job these last couple of years in curtailing the wanton ORV,snowmobile, use of public and private lands. During this time total snowmobile recreation has increased significantly. I am not aware of any similar action yet in this area on the part of the BLM, but the example is there.

I am sure that those of you who have had any experience with the stultifying effects of over grown bureauocracies, public or private, will realize that giving any bureauocracy a monopoly in its area is a big step in the wrong direction.

Powder River Basin Resource Council
48 North Main Sheridan, Wyo. 82801 (307) 672-5809

Comments
Before the
National Public Lands Advisory Council
Gillette, Wyoming
May 15, 1986

I would like to thank the Advisory Council for allowing me to present comments before you today. I am a rancher here in Campbell County and a member of the Powder River Basin Resource Council (PRBRC). PRBRC is an agricultural conservation organization, which was organized in the early 1970s in response to the rapid pace of energy development occurring in the state of Wyoming. Since many of our members live in areas directly impacted by energy development, PRBRC is concerned that coal, as well as oil and gas development, proceed in a prudent manner.

Coal Leasing

PRBRC questions the need for further coal leasing. Existing mines are not producing at capacity. Many Wyoming mines are currently laying off workers and only 31 of the over 100 federal coal leases in Wyoming actually have producing mines. Reports from both the OTA and the BLM indicate there are more than ample reserves of coal already under lease to meet present and future demands.

However, if the regional coal teams decide that leasing should continue, it is imperative that the new market analysis and data adequacy criteria be included in the decision making process. We recommend that the BLM not consider further leasing until after the agency has complied with the Secretary of Interior's directives to examine the effects of coal mining on air quality, reclaimability, riparian habitat, and aquifers. These effects, along with the establishment of the Threshold Concept, need to be addressed in new Resource Management Plans (RMPs) or supplements to existing RMPs.

Oil and Gas Leasing

There has been an absence by the BLM to plan oil and gas leasing in the context of its multiple use responsibilities. Despite the passage of Federal Land Policy Management Act (FLPMA) in 1976, which was supposed to integrate resource planning, oil and gas activities are still primarily planned independently of all other resources, and often without regard to their impacts on other resources such as livestock grazing, water quality, air quality, and wildlife. PRBRC recommends that environmental analyses be completed before leasing so that cumulative impacts of the potential development can be examined. We feel that the 1985 court decision of Connors v Burford sets an excellent precedent on how the BLM should be operating its oil and gas leasing program. Although the BLM and Forest Service interpret this case as pertaining only to the Flathead and Gallatin National Forests, we feel that it should be implemented nationwide. This type of assessment is feasible and has been successfully completed on the South Fork Area of the

Shoshone National Forest. The current policy of conducting environmental reviews in connection with the Application for Permit to Drill (APD) is generally inadequate to evaluate cumulative impacts of development on a particular lease. We also feel that each federal land management agency should be given responsibility for the minerals under the lands they manage.

Areas of Critical Environmental Concern

PRBRC feels that the BLM has neglected its responsibility to protect areas in need of special management. Although the Wyoming State Office of the BLM has done a better job of designating Areas of Critical Environmental Concern (ACECs) than some states, the situation here is still quite disappointing. Only 13 ACECs have been designated to date, totalling 208,000 acres, but 75,000 of these acres are the Salt Creek Hazard Area, which was created to protect people from toxic wastes which have been left by the petroleum industry. There are many areas of Wyoming's BLM managed public lands which have biological or geological importance, and could receive an ACEC designation. Management guidelines in ACECs can be developed to suit the resources in need of special attention and allow compatible activities to continue. PRBRC applauds the BLM's Memorandum 86-299, which puts increased emphasis on protecting special managment areas with the ACEC designation, and we hope the state BLM offices will follow through with these directives.

Thank you once again for allowing me to present comments today. We hope that the Advisory Council will examine our comments closely and develop needed changes in BLM policy.

Respectfully submitted,

Bill Barlow
Powder River Basin Resource Council

OFF-ROAD VEHICLE DAMAGE TO PUBLIC LANDS

There is a potential new danger today that not many of us are aware of; that is the damage done by off-road vehicles (ORVs) to our public lands. Lack of understanding of how fragile our Western range and forest lands are, coupled with unenforced regulations have created an alarming situation. In Wyoming alone 75% of the public lands are impacted by ORV use. Anyone who has driven across southern California in the last few years can attest to the numbers of ORV's using public lands there.

There are more than 400 million acres of public lands in the United States. These include watersheds affecting rivers, streams, lakes, and underground water supplies that are vital to all of us. Although legislation guarantees the public a right of access to these priceless lands, the framers of such legislation did not intend, I believe, for use to constitute misuse.

In the past 30 years, ORV traffic on public lands has gone from almost none at all to overwhelming. While other uses, such as timber and fuel wood harvest, energy exploration, grazing and game harvest have reasonably adequate restrictions, regulations for ORV use on these lands go virtually unenforced.

Over 6 million 4-wheel-drive vehicles were built and sold by American auto makers during the past decade. Many of these vehicles, plus uncountable Japanese 4X4's, dirt bikes and three-wheelers, are being driven on public lands causing erosion, asthetic deterioration and wildlife habitat damage.

Despite Executive Order 11644 signed by President Nixon on February 8, 1972, off-road vehicles are basically uncontrolled while using our public lands. This Executive Order requires Federal agencies to develop regulations and procedures for control of ORVs on public lands to minimize resource damage. In 1977, yet another Executive Order (11989) issued by President Carter gave public land managers the authority to immediately close areas and trails where ORV's were causing considerable adverse effects. We have regulations, but only minimal enforcement by public land managers who are slow to grapple with the problem.

Off-road vehicle users pay no fees for the use of public lands. The current administration, aware of this fee descrepancy, has directed our public land agencies to recover a minimum of 25 percent of the costs to the taxpayer of providing recreation on public lands.

Much has been said about the taxpayer subsidizing the livestock industry because grazing fees on public lands are lower than on private land. Grazing fees <u>are</u> paid, however, and regulations enforced. It seems rather inconsistent that ORV users are paying no fees to use our public lands and at the same time are damaging the resource.

Conservationists, environmentalists, graziers, sportsmen and sportswomen, public land managers, and others express concern over growing ORV use on public lands. They are frustrated in their attempts to halt the environmental destruction that is obviously accelerating. It is not easy to watch a vehicle grind up a muddy hill when you know a gully will appear after the first heavy shower.

Television and other media advertisements create the impression that ORV's are built to conquer any terrain. The only concern evident is the vehicle's ability to perform. No mention is made of using discretion or common sense as to where those vehicles are driven. In Arizona ORV users, stimulated by a nationally broadcast television ad depicting a Nissan truck destroying a ghost town, have begun to search out historical artifacts and archeological remnants for the same treatment. Arizona Highways magazine, an official publication of the Arizona Highway Department, has discontinued publishing locations of Arizona's historic mining sites because ORV damage has become a major concern.

Some public lands have deteriorated to a state of accelerated erosion. In most of the Western states, U.S. Forest Service land is generally higher in elevation than private land. Silt from erosion of these lands, in many cases, is deposited on privately owned land. Other areas have been disturbed to the point that vegetative cover is gone, and erosion from wind and water will begin if uncontrolled traffic continues.

Erosion of the magnitude possible as a result of gullying, sheet erosion, and wind-blown soil, not only depletes the public land, but produces silt that affects the habitat of fish and other wildlife, destroys stock and wildlife watering ponds, can clog irrigation systems, and harm downstream crops and hay lands. Exposed soil increases storm water runoff rates and contributes to flooding and related damages. Soil erosion is not a local problem; it has widespread and costly consequences, many of which will last for decades--or longer.

In California's Dove Springs Canyon, after 10 years of use, ORV's had denuded 543 acres and heavily damaged another 960 acres. The Panoche Hills area was loosing 6,400 tons of soil per square kilometer, 26 times the S.C.S. tolerance level. In the eastern Mojave, tracks, made by General Patton's tanks over 40 years ago are still clearly visible, and will be for centuries to come.

Recreation must be managed. Motorized recreationists cannot continue to have license to choose whatever terrain they want to use. Some states have begun to accept the responsibility of protecting their own lands. The state of Washington generally prohibits cross-country ORV or snowmobile traffic on the 5 million acres of state-owned land and provides special facilities such as abandoned gravel pits and roads paid for by ORV recreationists. Indiana has banned ORV's from all state lands since 1972.

In my state, New Mexico, ORV damage to public lands reached the point where the State Department of Game and Fish, by authority of the "Habitat Protection Act", is now issuing citations for off-road vehicular traffic on public lands. This effort to overcome the lack of enforcement of ORV regulations on public lands has had some beneficial effect, but without total commitment by the managers of these lands, will do little to solve the problem.

Too few of our Federal land managers are effectively representing the interests of the land, plants and creatures who live upon it, not to mention those of us concerned with its future.

The solution is a simple one. Roads that are to be used for vehicular travel should be designated by signs and maps, and most other areas should be closed. Ample areas should be designated for

ORV recreation so that these users can be accommodated fairly and appropriately. No one, through ignorance or lack of concern, should be allowed to destroy any more of the land that belongs to all of us.

To accomplish this Congress must be alerted again to the fact that ORV's are having a significant adverse effect on our public lands. This time more specific language and guidelines must be provided to the managers of these lands so that the "buck passing" will stop and action taken to control ORV's using public lands.

Sid Goodloe
P.O. Box 1000
Roswell, NM 88201
November 1985

pronghorn antelope, bighorn sheep, moose."

It would be a helluva safer place to walk at night.

Georgia Jones
Los Angeles, Calif.

In *Desert Solitaire*, Edward Abbey writes that industrial man appears intent on severing himself from the natural world. If Abbey succeeds in "putting the public lands livestock grazers out of business," will not the wedge be further driven between man and nature? What West will we have "won" when, by bureaucratic decree, people are declared unfit to live on and with the land?

Bud Eppers
Roswell, N.M.

Bud Eppers is president of the Southeast Grazing Association of New Mexico.

Edward Abbey decries much of the West's ranching heritage and completely ignores the substantial contributions today's ranchers make to resource stewardship, wildlife husbandry, and the fabric of countless communities. Still, it is obvious that his early "ranching" experience wasn't completely unproductive. He did gain a cowboy's knack for telling tall tales. Hopefully his recent essay did not make much of an impression on the intelligent people who read *Harper's Magazine*.

For those readers who would like to gain a firsthand impression of today's ranchers and cowboys, I extend a hearty invitation to visit Wyoming, the Cowboy State, and to stay at one of our many working guest ranches. I am certain that anyone who spends time here will find a much more pleasing environment and lifestyle than Abbey's picture of a wasteland filled with greed.

I would invite Abbey to visit as well, but I fear his mind has already been made up. Those readers who prefer to develop their own opinions are more than welcome to experience today's West in Wyoming. We'll help you plan your trip if you write to the Wyoming Travel Commission, Dept. A, Cheyenne, Wyoming 82002, or call toll-free 1-800-225-5996. If you visit, I think you will find why most Wyomingites truly love to live in a land of clean air and water, abundant and thriving wildlife, numerous recreational opportunities, and, yes, ranchers, cowboys, and cows. I hope we will be tipping our hats to you soon.

Governor Ed Herschler
Cheyenne, Wyo.

Now let's talk about the real problem on our public lands—the damage being done to them by off-road vehicles. Although the public has a right of access to these priceless lands, the framers of the legislation could not have intended that use would become misuse. Yet the misuse of our public lands is widespread and increasing.

More than 6 million four-wheel-drive vehicles have been built and sold by American auto makers during the past decade. Many of these vehicles, in addition to Japanese 4x4's, dirt bikes, and three-wheelers, are being driven on public lands, causing erosion and damaging wildlife habitats.

Edward Abbey makes much of the idea that taxpayers subsidize the cattle industry because grazing fees on public lands are lower than those on private lands. Grazing fees *are* paid, however, and regulations enforced. It seems wrong that the owners of off-road vehicles are paying practically no fees to use our public lands and at the same time are damaging them.

If Abbey is genuinely concerned about the future of these lands, he might point his pen at the real destroyer.

Sid Goodloe
Roswell, N.M.

I am thirteen years old and live on a ranch in northern Montana. I have just read Edward Abbey's article and would like to tell him something. I personally know from living on a ranch for thirteen years that without us cattlemen you would be starving. Where do you think all the hamburgers and steaks in the supermarkets come from?

Robert A. Jaynes
Dodson, Mont.

Continued on page 71

Speak German like a Diplomat!®

What sort of people need to learn a foreign language as quickly and effectively as possible? *Foreign service personnel*, that's who.

Now you can learn to speak German with the same materials used by the U.S. State Department—the Foreign Service Institute's *Programmed Introduction to German*.

The FSI spent thousands of dollars and many years developing these materials for use by members of the United States diplomatic corps. Today people in all walks of life who need to learn to speak a foreign language are turning to this outstanding audio program.

The FSI's German Course is by far *the most effective way* to learn German at your own convenience and pace. It consists of a series of cassettes, recorded by native German speakers, and accompanying textbook. You simply follow the spoken and written instructions, listening and learning. By the end of the course you'll find yourself learning and speaking entirely in German!

This course turns your cassette player into a "teaching machine." With its unique "programmed" learning method, you set your own pace—testing yourself, correcting errors, reinforcing accurate responses.

This FSI Programmed Course comes in two volumes, each shipped in a handsome library binder. Order either, or save 10% by ordering both:

- ☐ Volume I. Programmed Introduction to German, 10 cassettes (13 hr.), and 647-p. text, $135.
- ☐ Volume II. Basic Course Continued, 8 cassettes (8 hr.), and 179-p. text, $120.

(CT residents add sales tax.)

TO ORDER BY PHONE, PLEASE CALL TOLL-FREE NUMBER 1-800-243-1234

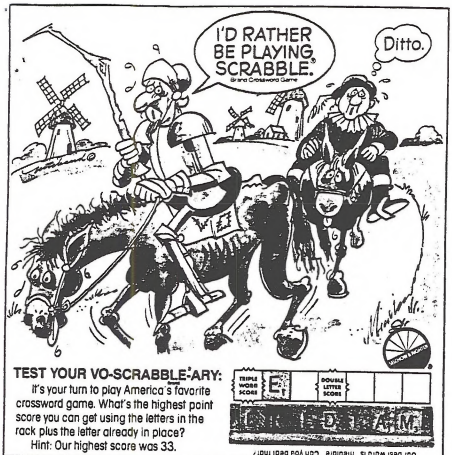
To order by mail, clip this ad and send with your name and address, and a check or money order—or charge to your credit card (VISA, MasterCard, AmEx, Diners) by enclosing card number, expiration date, and your signature.

The Foreign Service Institute's German Course is unconditionally guaranteed. Try it for three weeks. If you're not convinced it's the fastest, easiest, most painless way to learn German, return it and we'll refund every penny you paid. Order today!

120 courses in 41 other languages also available. Write for free catalog. Our 12th year.

Audio-Forum
Room 214
On-the-Green
Guilford, CT 06437
(203) 453-9794

AUDIO-FORUM



SCRABBLE® is the registered trademark of Selchow & Righter Co., Bay Shore, NY for its line of word game products, toys and entertainment services.

The Twentieth-Century Classics

A Collection of Lesser-Known Works by the Giants of 20th-Century Literature

The 20th-Century Classics series features little-known works by such writers as H.G. Wells, Rainer Maria Rilke, and Ivy Compton-Burnett—as well as unjustly neglected novels by other early 20th-century writers. Oxford is pleased to make these lost masterpieces of the 20th century available again, with biographical sketches and new introductions by well-known contemporary authors.

New to the series:

A FATHER AND HIS FATE
IVY COMPTON-BURNETT
$5.95 224 pp.

THE ROOT AND THE FLOWER
L.H. MYERS
$7.95 583 pp.

BIRD ALONE
SEAN O'FAOLAIN
$5.95 304 pp.

BEFORE THE BOMBARDMENT
OSBERT SITWELL
$6.95 320 pp.

KIPPS
H.G. WELLS
$5.95 256 pp.

For a complete list of **The 20th-Century Classics,** write to:
Paperback Marketing Manager
Oxford University Press
200 Madison Avenue
New York, NY 10016

Sid Goodloe is correct: the abuse of public lands by "recreational vehicles" will soon surpass the damage done by a century of overgrazing. We should stop it.

To Robert A. Jaynes—always talk back. Don't let an old desert rat like me buffalo a young cattleperson like you.

Finally, again, do cowboys work hard? Of course they do—part of the time. And they love it.

May Index Sources

1, 2 U.S. Information Agency (Washington, D.C.)/Interdisciplinary Consultants on Development (San José, Costa Rica); 3 U.S. Department of Commerce; 4 Ministry of Agricultural Development and Agrarian Reform (Managua); 5 *Wall Street Journal*; 6 Murray Feshbach (Soviet-ologist-in-residence, NATO, Brussels); 7 Benjamin Zablocki (Rutgers University); 8, 9 U.S. Department of Defense; 10 *Washington Post*; 11 Michael Weissman (University of Illinois at Urbana); 12 Commission on Professionals in Science and Technology (Washington, D.C.); 13 Jonathan M. Borwein and Peter B. Borwein (Dalhousie University, Nova Scotia); 14 *American Psychologist* (Washington, D.C.); 15, 16 Neil G. Bennett, Patricia H. Craig (Yale University), and David E. Bloom (Harvard University); 17 *A Lesser Life: The Myth of Women's Liberation in America*, by Sylvia Ann Hewlett (William Morrow); 18, 19 National Center for Health Statistics (Hyattsville, Md.); 20 U.S. Census Bureau; 21 Population Reference Bureau (Washington, D.C.); 22 Alan Gutrmacher Institute (New York City) and National Abortion Federation (Washington, D.C.); 23, 24 *Family Circle*; 25 U.S. Census Bureau; 26 Prime minister's office (Tokyo); 27 National Urban League (New York City); 28 U.S. Census Bureau; 29 Joint Center for Political Studies (Washington, D.C.); 30 Citizens' Research Foundation (Los Angeles); 31 United Press International; 32, 33 Markering Evaluations (Port Washington, N.Y.); 34 ISL Markering A.G. (New York City); 35 Steger International Polar Expedition (Ely, Minn.); 36, 37 International Association for Bear Research and Management (Calgary, Alberta); 38 American Museum of Natural History (New York City); 39 New York City Tree Consortium.

STATEMENT BY

DAVE SCHAENEN, IMMEDIATE PAST CHAIRMAN, NATIONAL PUBLIC LANDS ADVISORY COUNCIL

TO: President's Commission on Americans Outdoors
Cheyenne, Wyoming - May 16, 1986

The National Public Lands Advisory Council is appointed by the Secretary of the Interior to advise the Bureau of Land Management on policies and procedures of the BLM and on those issues facing the public lands. We have been meeting in Gillette, Wyoming, at the same time you have held public hearings in the field here in Cheyenne and in Denver.

Your work and the conclusions you will recommend will be extremely important to all Americans, and we welcome your review of recreation uses, activities and opportunities.

The public lands administered by the Bureau of Land Management are an important part of the outdoor recreation opportunities we enjoy here in the West. They provide unlimited opportunity for a variety of uses, from traditional hunting and fishing, to play areas for off-road vehicles, to wildland and wilderness escape. Concurrently with producing these recreational benefits they also produce an abundance of other resource products.

As a council we feel that the continued availability of these lands, and their management and improvement for all resource users by BLM is absolutely essential. At our meeting in Gillette, we considered your responsibilities and ours, and unanimously passed three resolutions dealing with the public land and its continued availability for outdoor recreation.

These resolutions constitute a significant recognition on the part of the National Public Lands Advisory Council and the Bureau of Land Management of the importance of the public lands and the management and maintenance of their essential wildland character. But, we also recognize that as use continues to grow, and as the population around western urban centers such as Phoenix, Salt Lake, Las Vegas, and others continue to swell, the BLM administered public lands will play an even more important role in meeting people's outdoor recreation needs.

There are some who think that the public lands are managed only for commodity uses such as grazing and minerals. That just isn't true. For example, BLM has been managing wildlife habitat as an integral part of their program for years. And programs such as the management of the California Desert Conservation Area demonstrate a commitment by BLM to carry out its full responsibility as directed by law. But, we agree that management must be enhanced and that a source of pride and stewardship needs to be instilled among users. We're recommending to you increased recognition of the public lands by installing signs, and by showing they are just as much a system available for public use as national parks, refuges, and national forests and need to be so recognized. What we are attempting to say is that under the

ATTACHMENT F

multiple use concept, all uses of the public lands must be considered and can be effectively managed. Recreation is and should be a coequal--not higher in priority--but equal to the other commodity products from the public lands.

We believe multiple use is good for Americans and contributes to our economic well being. Frankly, the public lands produce an abundance of opportunities for everyone. There is a feeling by some that recreation lands need special designation or must at some point become parks or parklands to be managed and protected. This is neither warranted nor cost effective. Recreation uses historically have coexisted with other uses, and this can and should continue. Parks become single use enclosures, often require even more development and, while they get used weekends and in the summer, remain unused for long periods of time, and meanwhile produce no other goods and services for the American people. Improving public land management and adding to the ability to implement land use plans, and helping BLM to translate its citizen advisory council input into on-the-ground action, should be a primary goal of your commission.

Special emphasis must be given to access. This is access in the broadest sense; physical, land ownership, and with regard to public land withdrawals. Millions of acres are currently inaccessible and additional millions of acres have been withdrawn from public use and economic development. Changing this will require a massive, and perhaps, costly effort. But, if revenue sources from fees, royalties and other sources can be developed by the Commission and enacted by Congress, we feel that progress can be made to alleviate the current situation and increase the opportunities for all Americans to use their lands.

We believe some form of recreation user fee is equitable and justified. It is necessary in these times to provide for management and maintenance through all kinds of sources. We suggest that a user fee be assessed that is reasonable, collectible without entrances and that it be in a fair and equitable manner, and returned for use on the public lands. We think the public would accept user fees under such conditions.

Our final resolution deals with resource management and stewardship of the public lands. Secretary Hodel has recently launched a national "Take Pride in America" effort to raise public consciousness for the management and care for these lands. While the uncaring are but a small percentage of users, they cause considerable costs to the taxpayers and to other public land users. We hope, with your assistance, that the public lands can be better identified and the public awareness to resources can be raised significantly.

We on the National Public Lands Advisory Council are very much aware of the values of outdoor activities and the public lands. We stand ready to help you in your current task and pledge to help BLM translate your proposals into on-the-ground actions to improve the public lands for use by all.

RESOLUTION OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

RECOMMENDATION ON USER ETHICS AND STEWARDSHIP

WHEREAS: The BLM administered lands provide a variety of resource values, such as energy, minerals, grazing, timber, wildlife and outdoor recreational opportunities for all Americans, and

WHEREAS: As use of these public lands continues to grow, it is unlikely that BLM staff presence on the lands will increase proportionately, and

WHEREAS: The Secretary of the Interior has launched a national "Take Pride in America" initiative to increase America's knowledge, pride and stewardship in its land and water resources, and

WHEREAS: Many Americans who use public lands are not fully aware of the impacts of their use or the need to share public lands with others.

Now be it hereby resolved that the National Public Lands Advisory Council (NPLAC) recommends to the President's Commission on Americans Outdoors (PCAO) that:

1. Recognition of management of the BLM administered public lands must be given high priority to alleviate public misconceptions that lands must be in parks, refuges, or wilderness systems to be "protected," or to provide high quality recreation.

2. The PCAO adopt and promote a strong sense of stewardship into its recommendations by fostering resource management, sharing of resources among users and stewardship of their resources by all Americans.

3. Emphasis be placed upon outdoor education to instill not just nature appreciation on users of all ages, but to teach how natural resources can be used, managed, conserved and shared among all users and consumers under the principles of multiple use.

4. Any Code of Ethics developed by this Commission must instill on all Americans their personal responsibility to respect lands and waters and to minimize the impact of human activities on these resources.

Passed in Regular Session
Gillette, Wyoming
May 15, 1986

B. Wells O'Brien, Chairman

RESOLUTION OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

FINANCIAL BASE FOR RECREATION MANAGEMENT,
OPERATION AND MAINTENANCE ON
BLM ADMINISTERED PUBLIC LANDS

WHEREAS: The public lands administered by the Bureau of Land Management (BLM) are an important and diverse land system providing a variety of outdoor recreational opportunities to the American people, and

WHEREAS: These lands require management to assure maintenance of the quality of the resources as well as the base upon which recreation opportunities depend, and

WHEREAS: In some instances, BLM administered lands are inaccessible to some uses, such inaccessibility being due to the lack of physical access, land withdrawals and land ownership patterns, and

WHEREAS: The existing capital improvements and facilities for recreation on public lands are deteriorating, and

WHEREAS: Management of outdoor recreation, including making opportunities available, providing information, identifying and marking the BLM public land system, providing assistance to visitors, and resolving conflicts among users all require a management presence by BLM, and

WHEREAS: There has been much greater participation of volunteers on public lands in recent years, providing services, maintaining facilities, building trails, and performing other activities; but such volunteer efforts fall short of meeting total needs and require management, supervision and planning, and

WHEREAS: Other users of the public lands pay for such uses and the products derived therefrom.

Be it hereby resolved that the National Public Lands Advisory Council (NPLAC) recommends to President's Commission on Americas Outdoors (PCAO) that:

1. The PCAO should recommend, among its program for dealing with the financial aspects of providing for Americans outdoors, a modest fee for such use.
2. Such fee must be fair, equitable, and payment must be simple and easily administered, much in the manner of Duck Stamps, and such fee must not require the establishment of new agencies to collect and administer it.

3. Funds from such sources should be directed back to the Federal land management agencies in proportion to the use being received.

4. Such user fee would be applicable to all visitors to the public lands, including commodity users who will bear some of the costs associated with management of the public lands when they are using lands for recreational purposes.

Passed in Regular Session
Gillette, Wyoming
May 15, 1986

B. Wells O'Brien, Chairman

RESOLUTION OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

MANAGEMENT OF RECREATION OF THE PUBLIC LANDS
ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT

WHEREAS: The public lands administered by the Bureau of Land Management provide a valuable recreation resource to all the American people, particularly those in the West, and

WHEREAS: The value of the public lands is in providing opportunities for all kinds of recreational uses and activities, spanning all levels of intensity and density. These opportunities and activities are resource based and the result of the natural characteristics and attractions of the lands, and

WHEREAS: The Bureau of Land Management (BLM), since 1976, has full authority to manage recreational uses on public lands and Congress has declared and emphasized that the public lands should be retained and managed for multiple use and sustained yield, by the BLM, including the provision for outdoor recreation as a full partner among the many values of the public lands, and

WHEREAS: BLM has demonstrated the ability to plan for and to manage recreation uses and to manage the public lands for a variety of uses, including outdoor recreation, and

WHEREAS: Even though BLM has efficiently managed the public lands, these lands still represent a largely untapped, under-recognized, under-utilized recreation resource, and in many instances, they require increased management and protection, especially where use and activity is intensive or may conflict with other land uses.

WHEREAS: Under FLPMA, the concept of multiple use and sustained yield is emphasized, and to implement this planning concept, the public must have absolute assurance of continued access to the public lands, with the full recognition of existing rights of land ownerships, uses, contracts, leases and permits.

Now be it hereby resolved the National Public Lands Advisory Council (NPLAC) recommends to the President's Commission on Americans Outdoors (PCAO) that:

1. The President's Commission on Americans Outdoors (PCAO) recognize the public land system administered by the BLM as a major deliverer of recreational opportunities to all the American people.

2. That the importance of public lands be recognized in all national systems currently in effect, such as trails, rivers and wilderness, and which may be so established in the future; and that the present managing agencies, such as BLM, have the capability and authority to properly and adequately manage these lands and systems.

3. That the PCAO recognize that multiple use management of the public lands is in the public interest and optimizes output from the public resources.

4. That the PCAO recognize that Congress has placed the public lands administered by the BLM into a permanent system to be retained and managed for multiple use and sustained yield of resources, including the provision for outdoor recreation opportunities. Such lands will be retained unless the land use planning process and the public interest identify that individual tracts of land might be better utilized under some other form of administration.

5. Since the public lands have become a system, there are many examples of comprehensive planning and management efforts by BLM. These examples, many driven by outdoor recreation issues demonstrate that the public lands can and are being carefully managed and protected and that public lands do not have to placed in other systems to assure continuation of wildland resource values. The PCAO should recommend that effective funding systems be developed to build on and add to this experience base, and to assure that funding is available to implement management programs after they are planned.

6. That PCAO recognize that maintenance and quality of recreational opportunity is dependent on maintaining the quality of the underlying resource base. Thus support for recreation management is only part of the financial issue of providing for Americans outdoors, and that total multiple use resource management is essential so that opportunities are not just maintained, but are enhanced as the population grows.

7. That PCAO, in recommending funding alternatives to the Land and Water Conservation Fund (LWCF), consider the public lands administered by BLM as a major recipient of any such funding, to be used for:

- Operation and maintenance of existing recreation facilities.

- Construction where appropriate.

- Access, including easements, and perhaps innovative and cooperative means of helping the public reach the public lands, while protecting private property rights.

- Management of recreation use including resolution of conflicts among recreation activities and between recreation and commodity uses.

8. That PCAO recognize the BLM's land use planning process as providing for an optimum balance of resource use, protection and management. Such planning processes are done locally, fully reflect outdoor recreation opportunities as an integral part of the public land's values and is done with full public participation including input by District Advisory Councils. Planning should also consider innovative public-private partnerships in dealing with recreation demands.

9. That the PCAO recognize the value of BLM's existing citizen advisory councils as locally responsive and responsible bodies which aid in decisionmaking about outdoor recreation and other land management issues, are a positive force to build consensus, are a forum for conflict resolution and address emerging issues.

10. That the PCAO and BLM give priority attention to the identification of the public lands administered by the BLM, through signing and other appropriate means, so that user awareness and stewardship is enhanced and to elevate the stature of the BLM administered public land system to the status of other Federal land systems.

Passed in Regular Session
Gillette, Wyoming
May 15, 1986

B. Wells O'Brien, Chairman

1984
NaLm
MAY
1986

RESOLUTIONS OF THE NATIONAL PUBLIC LANDS ADVISORY COUNCIL

May 16, 1986

Gillette, Wyoming

6/13
cy to DSDS, DMS, AMS

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

WILDERNESS AND WATER RIGHTS

Resolution of the National Public Lands Advisory Council

WHEREAS: The United States District Court for the District of Colorado has ruled in Sierra Club v. Block that the Congressional designation of wilderness reserves a Federal water right; and

WHEREAS: The economic well-being of the West requires adequate supplies of water in the future; and

WHEREAS: Many western rivers and streams are already over-appropriated; and

WHEREAS: BLM is presently reviewing approximately 25 million acres of public land for possible inclusion in the National Wilderness Preservation System; and

WHEREAS: A great deal of probable BLM administered wilderness will be downstream of locations where future water appropriations will be required; and

WHEREAS: The District Court decision would thwart such future water appropriations upon the designation of BLM administered wilderness.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to oppose any additions to the National Wilderness Preservation System until Congress enacts legislation renouncing any intent to reserve water rights in designating wilderness.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

Resolution of the National Public Lands Advisory Council

WHEREAS: The Federal Land Policy and Management Act (FLPMA) defines the term ACEC and sets forth specific requirements for identification and designation of ACECs in the planning process; and

WHEREAS: The ACEC designation is consistent with multiple use management under FLPMA; and

WHEREAS: Potential ACECs must always be evaluated with full public review and notice, and in accord with other established resource management planning rules.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council:

1. Recognizes that the ACEC requirements of FLPMA provide an important management tool to the local Bureau of Land Management (BLM) Manager;

2. Urges BLM to consult with public land users and interest groups when revising guidance implementing the ACEC provision of FLPMA and resource management planning rules, provided, however, that other designations be reviewed to determine if adequate management or protection options are available;

3. Supports the BLM effort to achieve a consistent approach to ACEC evaluation and designation in the planning process, compatible with multiple use management.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

WILD HORSE AND BURRO ADVISORY BOARD LIAISON

Resolution of the National Public Lands Advisory Council

WHEREAS: The National Public Lands Advisory Council has devoted significant time and study to the adverse impacts on the public lands resulting from an overabundance of wild horses and burros on public rangeland; and

WHEREAS: The Secretary of the Interior is establishing a Wild Horse and Burro Advisory Board to seek solutions to managing the wild horse and burro population.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior invite the chairman of the National Public Lands Advisory Council or his designee to serve as an ex officio member of the Wild Horse and Burro Advisory Board to share expertise and act as liaison between these two advisory bodies.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

RANGE REHABILITATION

Resolution of the National Public Lands Advisory Council

WHEREAS: Much of the western rangelands are infested with sagebrush and pinyon-juniper to the degree that these lands are presently producing less than their potential; and

WHEREAS: The Bureau of Land Management is involved in the rehabilitation of these ranges following wild and controlled fires and other types of existing vegetation removal techniques.

THEREFORE, BE IT RESOLVED: That this Council recommends that the Bureau adopt a policy of using an appropriate mix of the most palatable forage species of grasses, forbs, and shrubs in their rehabilitation program in order to provide more winter forage for livestock and wildlife.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

COMMUNICATIONS AND INFORMATION PROGRAM

Resolution of the National Public Lands Advisory Council

WHEREAS: There exists a need to inform and educate the public regarding multiple use benefits of grazing land resources; and

WHEREAS: The Department of the Interior manages the largest acreage of grazing lands and should take the lead in forming a program to achieve education goals; and

WHEREAS: The Secretary has initiated a major campaign, "Take Pride in America," and that this program can be adopted as a component of this campaign.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to implement a communications/information program on grazing land resources in coordination with other land agencies and user groups.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

COOPERATIVE MANAGEMENT AGREEMENTS

Resolution of the National Public Lands Advisory Council

WHEREAS: Multiple use management of public lands requires flexibility due to site-specific conditions; and

WHEREAS: No one prescribed management practice may suffice to improve and enhance range conditions; and

WHEREAS: The Cooperative Management Agreement (CMA) program recognizes individual stewardship.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management, using proper authorization under existing law, immediately implement the CMA program.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

COMPENSATION FOR WILDLIFE HABITAT

Resolution of the National Public Lands Advisory Council

WHEREAS: The Bureau of Land Management recognizes that privately-owned lands are an integral part of game management and hunter success in the western states and that trophy game animals in many cases are in direct competition with domestic livestock for forage on both private and public lands; and

WHEREAS: It is an almost impossible task to control grazing patterns of game animals, and various States claim ownership of wildlife and receive the income from the harvesting of those animals.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management urge various State wildlife departments to involve land owners in the game herd decision-making process and to give serious consideration to fair and prompt compensation to those who contribute habitat and forage to the game herds.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

BLOCKING OF STATE LANDS

Resolution of the National Public Lands Advisory Council

WHEREAS: The land departments of several western States are attempting to block their State lands; and

WHEREAS: These State lands have been leased for many years to present users; and

WHEREAS: Many problems of public access and rights-of-way are involved in widespread trading of lands; and

WHEREAS: There are many existing rights-of-way, multiple-use rights and property rights involved on the public lands to be traded.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Director and Secretary cooperate with the various States in solving these problems; and

BE IT FURTHER RESOLVED: That the burden of completing the necessary hearings and agreements to assure the protection of all valid existing rights and privileges should be completed and executed by the various States before their proposal is submitted to the Secretary for approval.

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NATIONAL PUBLIC LANDS ADVISORY COUNCIL
WASHINGTON, D.C. 20240

May 16, 1986

BLM MONITORING PROGRAM

Resolution of the National Public Lands Advisory Council

WHEREAS: The Natural Resources Defense Council and the Bureau of Land Management during the Carter Administration had attempted to improve the condition of the public rangelands through livestock reductions based on one-point-in-time forage inventories; and

WHEREAS: The livestock industry, the range science and academic communities, and others, urged the replacement of livestock adjustments based on the unreliable one-point-in-time inventories with actual use data coupled with vegetation monitoring over time; and

WHEREAS: Under the Reagan Administration, the recommendations of the range science community, livestock industry, et. al., were implemented by BLM and the use of monitoring data as the primary basis for range management decisions became established policy; and

WHEREAS: Grazing decisions under the current process have been fair and timely and based on sufficient information to promote cooperation between BLM and permittees in improving the rangelands while minimizing the economic impacts on livestock operators; and

WHEREAS: The BLM has not uniformly or aggressively initiated the range monitoring program bureau-wide on a scale sufficient to support all upcoming grazing decisions; and

WHEREAS: The Natural Resources Defense Council and the U.S. District Court in Reno, Nevada, have served notice that BLM shall reproduce grazing decisions based on a sound monitoring program or the Court will reconsider its support for decisions based on monitoring data.

NOW, THEREFORE, BE IT RESOLVED: That the Bureau of Land Management designate the range monitoring program as the Bureau's highest funding priority of the range program, and insure that sufficient monitoring data is available to support every decision affecting livestock stocking rates and other grazing management decisions; and

BE IT FURTHER RESOLVED: That sufficient long-term monitoring programs be initiated and maintained so as to provide range condition and trend statistics which accurately depict the trend of public land range condition from the 1984 baseline; and

BE IT FURTHER RESOLVED: That BLM utilize contracted range technicians to conduct the monitoring program when insufficient permanent staff are available; and

BE IT FURTHER RESOLVED: That copies of this resolution be forwarded to the:

Senate Committee on Energy and Natural Resources
Senate Appropriations Subcommittee on Interior and Related Agencies
House Committee on Interior and Insular Affairs
House Appropriations Subcommittee on Interior and Related Agencies

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 13 1986

Memorandum

To: Members, National Public Lands Advisory Council

From: Assistant Secretary, Land and Minerals Management

Subject: Department Responses to Council Resolutions Adopted at the May 14-16 Meeting in Gillette, Wyoming

We have reviewed the resolutions that the council adopted at its May 14-16 meeting in Gillette, Wyoming, and would like to report back to you on actions that we have taken on each of them. The Department's responses to the ten resolutions are enclosed for your review and consideration.

I am planning to attend the Council's upcoming meeting in Great Falls, Montana, and look forward to this meeting as an opportunity to discuss both your May resolutions and the important public lands issues that you have scheduled for this three-day session.

Enclosures (10)

WILDERNESS AND WATER RIGHTS

Resolution

WHEREAS: The United States District Court for the District of Colorado has ruled in Sierra Club v. Block that the Congressional designation of wilderness reserves a Federal water right; and

WHEREAS: The economic well-being of the West requires adequate supplies of water in the future; and

WHEREAS: Many western rivers and streams are already over-appropriated; and

WHEREAS: BLM is presently reviewing approximately 25 million acres of public land for possible inclusion in the National Wilderness Preservation System; and

WHEREAS: A great deal of probable BLM administered wilderness will be downstream of locations where future water appropriations will be required; and

WHEREAS: The District Court decision would thwart such future water appropriations upon the designation of BLM administered wilderness.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to oppose any additions to the National Wilderness Preservation System until Congress enacts legislation renouncing any intent to reserve water rights in designating wilderness.

Response: The Department continues to support the long-standing policy that water rights for Federal reservation purposes, including designated wilderness areas, will be sought and obtained under existing administrative procedures of applicable State law, wherever possible. The Department stands ready to work out mutually agreeable procedures with affected State governments similar to those provisions contained in Representative Strang's proposed legislation, H.R. 4233.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)

Resolution

WHEREAS: The Federal Land Policy and Management Act (FLPMA) defines the term ACEC and sets forth specific requirements for identification and designation of ACECs in the planning process; and

WHEREAS: The ACEC designation is consistent with multiple use management under FLPMA; and

WHEREAS: Potential ACECs must always be evaluated with full public review and notice, and in accord with other established resource management planning rules.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council:

1. Recognizes that the ACEC requirements of FLPMA provide an important management tool to the local Bureau of Land Management (BLM) Manager;

2. Urges BLM to consult with public land users and interest groups when revising guidance implementing the ACEC provision of FLPMA and resource management planning rules, provided, however, that other designations be reviewed to determine if adequate management or protection options are available;

3. Supports the BLM effort to achieve a consistent approach to ACEC evaluation and designation in the planning process, compatible with multiple use management.

Response: We appreciate the Council's support for the Bureau of Land Management's approach to establishing and managing Areas of Critical Environmental Concern (ACECs). The Bureau is presently drafting additional guidance to help achieve a consistent approach to ACECs in line with the concepts reviewed and discussed at the last Council meeting.

Specifically:

1. The guidance will stress the compatibility of the ACEC designation with the BLM multiple-use mandate. As noted at the Council's meeting in Gillette, the ACEC designation is one of a number of management tools used by the BLM manager to attain balanced uses on the public lands under existing requirements.

2. The guidance will be made available for public review in much the same manner as the Supplemental Program Guidance for resource management planning was made available for public comment. Interested publics will have an opportunity to comment and provide input into the guidance. This guidance will also address ACEC designation in relation to other management or protection options.

The Council's advice and support in this initiative have aided the Bureau's efforts to achieve a consistent approach to ACECs and to improve understanding of the requirements.

WILD HORSE AND BURRO ADVISORY BOARD LIAISON

Resolution

WHEREAS: The National Public Lands Advisory Council has devoted significant time and study to the adverse impacts on the public lands resulting from an overabundance of wild horses and burros on public rangeland; and

WHEREAS: The Secretary of the Interior is establishing a Wild Horse and Burro Advisory Board to seek solutions to managing the wild horse and burro population.

THEREFORE, BE IT RESOLVED: That the Secretary of the Interior invite the chairman of the National Public Lands Advisory Council or his designee to serve as an ex officio member of the Wild Horse and Burro Advisory Board to share expertise and act as liaison between these two advisory bodies.

Response: The Bureau appreciates the Council's interest in sharing its expertise on the impact of wild horses and burros on the public lands with the newly-established Wild Horse and Burro Advisory Board. At the Board's organizational meeting in Washington, D.C., on July 15-17, the members unanimously approved establishing a liaison between these two advisory bodies. Accordingly, Council Chairman Wells O'Brien, or his designee, has been invited to participate in meetings of the Wild Horse and Burro Advisory Board, and Board member Brad Little will be invited to participate in meetings of the National Public Lands Advisory Council to apprise members of the Board's activities and to learn of the Council's views on the wild horse and burro program.

RANGE REHABILITATION

Resolution

WHEREAS: Much of the western rangelands are infested with sagebrush and pinyon-juniper to the degree that these lands are presently producing less than their potential; and

WHEREAS: The Bureau of Land Management is involved in the rehabilitation of these ranges following wild and controlled fires and other types of existing vegetation removal techniques.

THEREFORE, BE IT RESOLVED: That this Council recommends that the Bureau adopt a policy of using an appropriate mix of the most palatable forage species of grasses, forbs, and shrubs in their rehabilitation program in order to provide more winter forage for livestock and wildlife.

Response: We concur with this Council recommendation on range rehabilitation. The Bureau recognizes its responsibility to implement rehabilitation treatments that are consistent with land use plan objectives for the area being treated. In August, 1985, following a series of wildfires on the public lands, we amended our policy for treatments to ensure that they would prevent damage to soil and water resources, be consistent with land use plan objectives, and provide long-term benefits for the area treated. This Bureau policy allows for seeding an appropriate mix of palatable forage species of grass, forbs, and shrubs to provide forage for livestock and wildlife, where such use is part of the land use plan objectives.

Several BLM State and District Offices are working closely with various research groups and plant materials centers to identify and develop appropriate plant species that can adapt to western ranges, provide wildlife and livestock forage, and be successfully used for rehabilitation of the public lands.

COMMUNICATIONS AND INFORMATION PROGRAM

Resolution

WHEREAS: There exists a need to inform and educate the public regarding multiple use benefits of grazing land resources; and

WHEREAS: The Department of the Interior manages the largest acreage of grazing lands and should take the lead in forming a program to achieve education goals; and

WHEREAS: The Secretary has initiated a major campaign, "Take Pride in America," and that this program can be adopted as a component of this campaign.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Department of the Interior to implement a communications/information program on grazing land resources in coordination with other land agencies and user groups.

Response: While the Department of the Interior does not have a developed plan of action for such a communications/information program at this time, we have undertaken certain initiatives to increase public understanding of grazing land resources. In 1984, through our publication of "50 Years of Public Land Management," we initiated an effort to highlight the progress that has been made in improving the condition of the public rangelands. We are also in the process of developing a range management visual display that can be used at meetings and functions westwide to highlight improvement in range conditions.

We interpret the Council's recommendation to encompass a much broader communications/information program than we have undertaken to date, but we believe our recent efforts fit within the context of the suggested program. Our efforts to expand a rangeland communications/information program will be increased in the future.

COOPERATIVE MANAGEMENT AGREEMENTS

Resolution

WHEREAS: Multiple use management of public lands requires flexibility due to site specific conditions; and

WHEREAS: No one prescribed management practice may suffice to improve and enhance range conditions; and

WHEREAS: The Cooperative Management Agreement (CMA) program recognizes individual stewardship.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management, using proper authorization under existing law, immediately implement the CMA program.

Response: We concur with the Council's recommendation and are now in the process of developing appropriate rules to implement a Cooperative Management Agreement program. We anticipate publishing proposed regulations for the program in January, 1987, and, depending on the public comments received, project final rulemaking for April, 1987.

COMPENSATION FOR WILDLIFE HABITAT

Resolution

WHEREAS: The Bureau of Land Management recognizes that privately-owned lands are an integral part of game management and hunter success in the western states and that trophy game animals in many cases are in direct competition with domestic livestock for forage on both private and public lands; and

WHEREAS: It is an almost impossible task to control grazing patterns of game animals, and various States claim ownership of wildlife and receive the income from the harvesting of those animals.

THEREFORE, BE IT RESOLVED: That the Bureau of Land Management urge various State wildlife departments to involve land owners in the game herd decision-making process and to give serious consideration to fair and prompt compensation to those who contribute habitat and forage to the game herds.

Response: The Bureau of Land Management will continue to work with the various State fish and wildlife agencies, the Western Association of Fish and Wildlife Agencies, and the International Association of Fish and Wildlife Agencies, to encourage cooperative habitat management efforts between public and private land managers. As new opportunities are identified through consultation with State fish and wildife agencies, the Bureau will cooperate fully in providing incentives to private landowners for improved, coordinated habitat management activities.

The Bureau has also undertaken a Wildlife Economics Project, and during the second year of this project, we will be exploring the use of economic incentives to encourage more participation by private interests in habitat development. Western wildlife sports, including hunting, wildlife viewing, and photography, are of commercial importance in the West. For example, nonresident big game hunters in Colorado spent $11 million in 1980 on various privilege fees such as guide fees and private land use fees. Land use fees that succeed in opening lands that would otherwise stay closed to hunting, and that give the landowner an incentive to develop more and better wildlife habitat, are in the interest of all: sportsman, landowner and wildlife.

The Bureau has established a team that will be looking at innovative mechanisms to enchance fish and wildlife habitats through private investments. We are also exploring with the State of Colorado a pilot scheme in wildlife ranching to open lands to fee hunting and plow a portion of the fees back into habitat development. We additionally will be examining the regulatory or procedural barriers to cooperative management projects with ranchers and others and will remove barriers where this is feasible.

BLOCKING OF STATE LANDS

Resolution

WHEREAS: The land departments of several western States are attempting to block their State lands; and

WHEREAS: These State lands have been leased for many years to present users; and

WHEREAS: Many problems of public access and rights-of-way are involved in widespread trading of lands; and

WHEREAS: There are many existing rights-of-way, multiple-use rights and property rights involved on the public lands to be traded.

THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council recommends that the Director and Secretary cooperate with the various States in solving these problems; and

BE IT FURTHER RESOLVED: That the burden of completing the necessary hearings and agreements to assure the protection of all valid existing rights and privileges should be completed and executed by the various States before their proposal is submitted to the Secretary for approval.

Response: We agree that valid existing rights must be protected to successfully exchange lands with a State. The means for protecting specific third party rights that have attached to State and Federal lands should be worked out before a formal exchange proposal is submitted to the appropriate Bureau of Land Management office. Following successful negotiations, the burden of completing any necessary hearings and agreements for protecting third party rights that have attached to the State lands in the proposed transaction should lie with the State.

The Department and the Bureau have, and will continue, to cooperate with the various States in solving these problems.

BLM MONITORING PROGRAM

Resolution

WHEREAS: The Natural Resources Defense Council and the Bureau of Land Management during the Carter Administration had attempted to improve the condition of the public rangelands through livestock reductions based on one-point-in-time forage inventories; and

WHEREAS: The livestock industry, the range science and academic communities, and others, urged the replacement of livestock adjustments based on the unreliable one-point-in-time inventories with actual use data coupled with vegetation monitoring over time; and

WHEREAS: Under the Reagan Administration, the recommendations of the range science community, livestock industry, et. al., were implemented by BLM and the use of monitoring data as the primary basis for range management decisions became established policy; and

WHEREAS: Grazing decisions under the current process have been fair and timely and based on sufficient information to promote cooperation between BLM and permittees in improving the rangelands while minimizing the economic impacts on livestock operators; and

WHEREAS: The BLM has not uniformly or aggressively initiated the range monitoring program bureau-wide on a scale sufficient to support all upcoming grazing decisions; and

WHEREAS: The Natural Resources Defense Council and the U.S. District Court in Reno, Nevada, have served notice that BLM shall produce grazing decisions based on a sound monitoring program or the Court will reconsider its support for decisions based on monitoring data.

NOW, THEREFORE, BE IT RESOLVED: That the Bureau of Land Management designate the range monitoring program as the Bureau's highest funding priority of the range program, and insure that sufficient monitoring data is available to support every decision affecting livestock stocking rates and other grazing management decisions; and

BE IT FURTHER RESOLVED: That sufficient long-term monitoring programs be initiated and maintained so as to provide range condition and trend statistics which accurately depict the trend of public land range condition from the 1984 baseline; and

BE IT FURTHER RESOLVED: That BLM utilize contracted range technicians to conduct the monitoring program when insufficient permanent staff are available; and

BE IT FURTHER RESOLVED: That copies of this resolution be forwarded to the:

Senate Committee on Energy and Natural Resources
Senate Appropriations Subcommittee on Interior and Related Agencies
House Committee on Interior and Insular Affairs
House Appropriations Subcommittee on Interior and Related Agencies

Response: We concur with the Council's recommendation that the Bureau designate the range monitoring program as the highest funding priority of the range program -- with the exception that permit issuance and supervision, and the meeting of court-ordered priorities, must take precedence if grazing is to continue on the public lands. Monitoring will be given first priority after these two items. The Bureau is committed to a policy of basing grazing management decisions on monitoring data, and we are currently conducting a Bureauwide monitoring evaluation to determine if our current level of monitoring is sufficient to meet our monitoring commitment. The results of the evaluation will be used to determine if adjustments in the range program are needed to ensure that adequate monitoring data are collected.

The Council also recommended that sufficient long-term programs be initiated and maintained to provide range condition and trend statistics. The Bureau's current monitoring strategy is designed to determine the trend in range condition. We have adopted the order three soil survey and ecological site inventory, which includes mapping of range sites and a description of current and potential vegetation as the baseline for our monitoring program. From this baseline, range condition can be determined. As monitoring progresses, and trend studies indicate that a change in range vegetation has occurred, a comparison with the baseline can be made to accurately depict the trend in range condition. This approach was recommended by the Range Inventory Standardization Committee sponsored by the Society for Range Management.

The Council further recommended that the Bureau utilize contracting to conduct the monitoring program when insufficient permanent staff are available. We believe that contracting may be a viable option for conducting monitoring studies. If through our monitoring evaluation we find that we have insufficient permanent personnel to meet our monitoring commitment, we will explore the possibility of contracting, along with other options available to us, to determine the most efficient and best way to expand our monitoring capability.

As requested by the Council, we have transmitted a copy of this resolution to the appropriate Senate and House Committees for their personal review and consideration.

S. 2061 - CALIFORNIA DESERT PROTECTION ACT OF 1986

Resolution

WHEREAS: The Congress of the United States passed in October, 1976, the Federal Land Policy and Management Act, which emphasized resource protection within continued multiple use of the lands; and

WHEREAS: The Congress further directed that these principles be guided by the implementation of a comprehensive land use plan developed with the broad involvement of all segments of the public; and

WHEREAS: This Act contained special provisions which created the California Desert Conservation Area; and

WHEREAS: This Act provided for development of a management plan for the California Desert Conservation Area, to include both protection and continued multiple use; and

WHEREAS: A management plan was developed which recognized those special resource areas and values within the California Desert Conservation Area; and

WHEREAS: This plan was approved by both the Carter and Reagan Administrations; and

WHEREAS: FLPMA further directs the Bureau of Land Management to inventory and study all public lands for wilderness values, including mineral surveys, and report its recommendation to Congress for final decisions on wilderness designations; and

WHEREAS: The evaluations and preparation of these reports have not as yet been completed; and

WHEREAS: The United States Congress set the year 1991 as the year by which these reports and recommendations should be brought to them; and

WHEREAS: United States Senator Alan Cranston at the request of 21 preservation groups has introduced in the Senate S. 2061; and

WHEREAS: S. 2061 would designate 81 wilderness areas without complete evaluation; and

WHEREAS: Many of the proposed 81 wilderness areas have roads and are lacking in those qualities required for wilderness; and

WHEREAS: S. 2061 would create a 1.5 million acre Mojave National Park, a concept that was thoroughly studied during the California Desert Conservation Area planning process and was rejected; and

WHEREAS: S. 2061 would add 1.3 million acres from the California Desert Conservation Area to Death Valley National Monument, a concept also studied and rejected as part of the planning process; and

WHEREAS: S. 2061 would add 245,000 acres from the California Desert Conservation Area to Joshua Tree National Monument, land that was reviewed by Congress and rejected because of its enormous mineral values; and

WHEREAS: S. 2061 would convert Death Valley National Monument and Joshua Tree National Monument to National Park Status; and

WHEREAS: S. 2061 could put most of the free world's rare earths as well as other strategic and necessary minerals in jeopardy; and

WHEREAS: S. 2061 could place additional economic handicaps on private land owners, many small communities and rural counties; and

WHEREAS: S. 2061 would limit access to 9.4 million acres of lands; and

WHEREAS: S. 2061 would be costly to implement at a time when budget cuts are limiting services; and

WHEREAS: The introduction of S. 2061 violates established democratic processes which should include input from all the publics; and

WHEREAS: S. 2061 is premature, ill-conceived and contains many proposed actions which have been previously reviewed by Congress and/or thoroughly evaluated over the four years of planning for the California Desert Conservation Area and rejected for good reason.

NOW, THEREFORE, BE IT RESOLVED: That the National Public Lands Advisory Council urges the Secretary of the Interior to forcefully oppose S. 2061 in total.

Response: Secretary Hodel has publicly stated that he believes the management, protection, and use of the public lands in the California Desert are best served by the provisions of the existing California Desert Plan. This Plan was formulated with extensive public involvement and consultation with local, county, State and Federal officials to protect the unique public land resources and ensure that they are prudently used and managed in the future.

The Department of the Interior believes that the California Desert Plan has proven to be a workable balance to a significant number of diverse constituencies for a large area encompassing an immense wealth of natural resources. The Plan also allows multiple land uses which provide good ecosystem balance and protection to special areas with unique values.

Rather than undertake the sweeping action contemplated in Senator Cranston's proposed legislation (S. 2061), which would brush aside all that has previously been accomplished, the Department reaffirms its support for the existing California Desert Plan and its provisions for the management, protection and use of the public lands.

BLM Library
Bldg. 50
Denver Federal Center
P.O. Box 25047
Denver, Colorado 80225